

# EXHIBIT 61

Adam Jones

12/7/2020

<p style="text-align: right;">Page 1</p> <p style="text-align: center;">IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA WESTERN DIVISION</p> <p>CASE NUMBER 7:19-cv-00403-RDP</p> <p>ADAM JONES and JOSHUA HASTINGS, Plaintiff(s), vs. BUZZFEED, INC., BUZZFEED NEWS, BEN SMITH, and KATIE J. M. BAKER, Defendant(s).</p> <p>VIDEO AND ZOOM DEPOSITION TESTIMONY OF: ADAM JONES</p> <p>DECEMBER 7, 2020 9:07 a.m. COURT REPORTER: NANCY W. PANNELL, CCR The reading and signing of this deposition has been waived</p>	<p style="text-align: right;">Page 2</p> <p style="text-align: center;">S T I P U L A T I O N</p> <p>IT IS STIPULATED AND AGREED by and between the parties through their respective counsel that the VIDEO AND ZOOM DEPOSITION of ADAM JONES may be taken before Nancy W. Pannell, Certified Shorthand Reporter and Notary Public, State at Large, at the Birmingham Reporting Tuscaloosa Office, WorkSouth Tuscaloosa, 1409 Northbank Parkway, Suite 200, Tuscaloosa, Alabama, on DECEMBER 7, 2020, commencing at approximately 9:07 a m.</p> <p>IT IS FURTHER STIPULATED AND AGREED that the signature to and the reading of the deposition by the witness IS waived, the deposition to have the same force and effect as if full compliance had been had with all laws and rules of Court relating to the taking of depositions.</p> <p>IT IS FURTHER STIPULATED AND AGREED that it shall not be necessary for any objections to be made by counsel to</p>																						
<p style="text-align: right;">Page 3</p> <p>1 any questions, except as to form or 2 leading questions, and that counsel for 3 the parties may make objections and assign 4 grounds at the time of trial or at the 5 time said deposition is offered in 6 evidence, or prior thereto. 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23</p>	<p style="text-align: right;">Page 4</p> <p style="text-align: center;">I N D E X</p> <table border="0"> <tr> <td>EXAMINATION BY:</td> <td>PAGE NO.</td> </tr> <tr> <td>MS. BOLGER</td> <td>10</td> </tr> <tr> <td>CERTIFICATE</td> <td>392</td> </tr> </table> <p style="text-align: center;">INDEX OF EXHIBITS</p> <table border="0"> <tr> <td>PREVIOUSLY MARKED DEFENDANT'S EXHIBITS REFERENCED AND ATTACHED TO DEPOSITION</td> <td></td> </tr> <tr> <td>2 Felony Packet</td> <td>267</td> </tr> <tr> <td>15 Timeline of Rondini Case, 1-23</td> <td>253</td> </tr> <tr> <td>16 SOP, Page 24-105</td> <td>42</td> </tr> <tr> <td>17 Tuscaloosa News Article</td> <td>387</td> </tr> <tr> <td>18 Grand Jury Report of M. Rondini, Page 106-148</td> <td>302</td> </tr> <tr> <td>25 Email, Jones-Hastings 0187</td> <td>339</td> </tr> </table> <table border="0"> <tr> <td>DEFENDANT'S EXHIBITS:</td> <td>PAGE NO.</td> </tr> </table>	EXAMINATION BY:	PAGE NO.	MS. BOLGER	10	CERTIFICATE	392	PREVIOUSLY MARKED DEFENDANT'S EXHIBITS REFERENCED AND ATTACHED TO DEPOSITION		2 Felony Packet	267	15 Timeline of Rondini Case, 1-23	253	16 SOP, Page 24-105	42	17 Tuscaloosa News Article	387	18 Grand Jury Report of M. Rondini, Page 106-148	302	25 Email, Jones-Hastings 0187	339	DEFENDANT'S EXHIBITS:	PAGE NO.
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1	BIRMINGHAM, ALABAMA 35203		1	I, Nancy W. Pannell, a	
2			2	Certified Shorthand Reporter of	
3	ALSO PRESENT:		3	Birmingham, Alabama, and a Notary Public	
4	Josh Hastings		4	for the State of Alabama at Large, acting	
5	Allen Eaves, videographer		5	as Commissioner, certify that on this	
6			6	date, pursuant to the Federal Rules of	
7			7	Civil Procedure and the foregoing	
8			8	stipulation of counsel, there came before	
9			9	me at the offices of Birmingham Reporting	
10			10	Tuscaloosa office, WorkSouth Tuscaloosa,	
11			11	1490 Northbank Parkway, Suite 200,	
12			12	Tuscaloosa, Alabama, commencing at	
13			13	approximately 9:07 a.m. on DECEMBER 7,	
14			14	2020, ADAM JONES, witness in the above	
15			15	cause, for oral examination, whereupon the	
16			16	following proceedings were had:	
17			17		
18			18		
19			19	VIDEOGRAPHER: We are now on	
20			20	the record. This is the video deposition	
21			21	of Adam Jones, Case Number	
22			22	7:19-cv-00403-RDP in the United States	
23			23	District Court for the Northern District	

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<p>1 of Alabama, Western Division.  2 Today's date is December the  3 7th, 2020. The time is 9:07 a m. Would  4 counsel introduce yourself into the  5 record, after which the court reporter  6 will swear in the witness.  7 MS. BOLGER: Good morning,  8 everybody. Kate Bolger from Davis,  9 Wright, Tremaine on behalf of the  10 defendants BuzzFeed, Katie Smith, and Ben  11 Smith -- Katie Baker and Ben Smith.  12 MR. THOMPSON: J. T.  13 Thompson also here on behalf of the  14 defendants.  15 MR. COCKRELL: Bob Cockrell  16 for the plaintiffs.  17 MR. RITCHEY: Scotch Ritchey  18 for the plaintiffs.  19 ADAM JONES,  20 being first duly sworn, was examined and  21 testified as follows:  22 COURT REPORTER: Thank you.  23 Usual stipulations?</p>	<p>1 MR. COCKRELL: Yes.  2 MR. THOMPSON: Yes.  3 EXAMINATION  4 BY MS. BOLGER:  5 Q. Hi, Investigator Jones. My name  6 is Kate Bolger, as I said, and I'm a  7 lawyer and I represent BuzzFeed. Have you  8 ever been deposed before?  9 A. Yes, ma'am.  10 Q. In what circumstances have you  11 been deposed?  12 A. It was a deposition, I can't  13 remember who subpoenaed me for the  14 deposition. It was in regards to the Bunn  15 case and the Rondini lawsuit.  16 Q. And was that the only time you've  17 been deposed?  18 A. Yes, ma'am.  19 Q. Great. Well, just to refresh your  20 recollection, the way this process works  21 is I ask some questions and you give me  22 some answers.  23 I do tend to talk rather quickly.</p>
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<p>1 I think Nancy must take long naps after  2 she's done writing down a deposition for  3 me. If I talk too quickly, please just  4 tell me to slow down and I will promise to  5 try.  6 You and I should try not to talk  7 over each other, so I'll let you finish  8 talking, you let me finish talking and  9 every answer you give me should be  10 audible, so in other words, don't shake  11 your head or nod; just say yes or no. Are  12 you with me so far?  13 A. Yes, ma'am.  14 Q. Great. Bob or Scotch may from  15 time to time object to something I'm  16 saying. Unless they instruct you to  17 answer -- instruct you not to answer, you  18 can still answer the question, okay?  19 A. Okay.  20 Q. Great. Did you do anything to  21 prepare for this deposition today?  22 A. Just spoke with the attorneys.  23 Q. How long did you speak with the</p>	<p>1 attorneys?  2 A. An hour couple of weeks ago in the  3 office.  4 Q. Great. Did you review any  5 documents before you came here today?  6 A. I looked through the case file.  7 Q. And when you say case file, do you  8 mean the felony packet or something else?  9 A. Yes, felony packet.  10 Q. Did you read any of the  11 transcripts of the depositions that have  12 already taken place in this matter?  13 A. No.  14 Q. Have you spoken to Captain Hood  15 about his deposition?  16 A. No.  17 Q. What about Captain Hart?  18 A. No.  19 Q. What about your wife?  20 A. We just talked about she was  21 nervous, and as far as the substance we  22 haven't talked about it.  23 Q. Okay, great. Do you have a social</p>

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<p>1 media account?</p> <p>2 A. No.</p> <p>3 Q. Accounts?</p> <p>4 A. No.</p> <p>5 Q. So you don't have a Twitter</p> <p>6 handle?</p> <p>7 A. No, ma'am.</p> <p>8 Q. Or a Facebook page?</p> <p>9 A. No.</p> <p>10 Q. Or an Instagram account or</p> <p>11 anything like that?</p> <p>12 A. No, ma'am.</p> <p>13 Q. When were you born?</p> <p>14 A. [REDACTED].</p> <p>15 Q. And where were you born?</p> <p>16 A. Tuscaloosa County.</p> <p>17 Q. And have you lived in Tuscaloosa</p> <p>18 County your whole life?</p> <p>19 A. Yes, ma'am.</p> <p>20 Q. Where did you grow up</p> <p>21 specifically?</p> <p>22 A. North Tuscaloosa County. They</p> <p>23 call it the McConnells community, but it's</p>	<p>1 around Samantha.</p> <p>2 Q. Okay. And your father was a</p> <p>3 pastor; correct?</p> <p>4 A. Yes, ma'am.</p> <p>5 Q. What was the name of his church?</p> <p>6 A. Phillips Chapel Freewill Baptist</p> <p>7 Church.</p> <p>8 Q. And is he still a pastor there?</p> <p>9 A. He is, yes, ma'am.</p> <p>10 Q. How long has he been the pastor</p> <p>11 there?</p> <p>12 A. I believe it was 1982 so he's been</p> <p>13 there several years.</p> <p>14 Q. That's a really long time. That's</p> <p>15 amazing. How big is that congregation?</p> <p>16 A. It's a small country church. I</p> <p>17 would probably say less than 50 on Sunday</p> <p>18 morning.</p> <p>19 Q. And does your mom work outside the</p> <p>20 home?</p> <p>21 A. She's retired.</p> <p>22 Q. What did she do before she</p> <p>23 retired?</p>
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<p>1 A. She was an x-ray technician for</p> <p>2 the University Medical Center and she's</p> <p>3 been retired about five or six years now.</p> <p>4 Q. Okay. Did you have any -- do you</p> <p>5 have any brothers or sisters?</p> <p>6 A. I have a brother.</p> <p>7 Q. What's your brother's name?</p> <p>8 A. Paul.</p> <p>9 Q. Does Mr. Jones live in Tuscaloosa</p> <p>10 County?</p> <p>11 A. He does.</p> <p>12 Q. And are you guys -- do you live</p> <p>13 close to each other?</p> <p>14 A. He actually lives next door to my</p> <p>15 parents so we're about 15 minutes apart.</p> <p>16 Q. And what does your brother do?</p> <p>17 A. He currently works for the</p> <p>18 probation and paroles office, state of</p> <p>19 Alabama.</p> <p>20 Q. Are you guys close?</p> <p>21 A. We are.</p> <p>22 Q. And you are married; right?</p> <p>23 A. Yes, ma'am.</p>	<p>1 Q. Your wife's name is Nicole?</p> <p>2 A. Yes.</p> <p>3 Q. And how long have guys been</p> <p>4 married?</p> <p>5 A. 22 years.</p> <p>6 Q. You got married young. Do you</p> <p>7 guys have any children?</p> <p>8 A. Two children.</p> <p>9 Q. And how old are your kids?</p> <p>10 A. My daughter is 21 and my son is</p> <p>11 17.</p> <p>12 Q. What's your daughter's name?</p> <p>13 A. Mackenzie.</p> <p>14 Q. And where does Mackenzie live?</p> <p>15 A. She lives just down the road from</p> <p>16 me, probably a couple hundred yards from</p> <p>17 us.</p> <p>18 Q. I like your strategy of keeping</p> <p>19 your kids close. What's your boy's name?</p> <p>20 A. Cody.</p> <p>21 Q. You said Cody is 17?</p> <p>22 A. Yes, ma'am.</p> <p>23 Q. And I assume he lives with you?</p>

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<p>1 A. He does.</p> <p>2 Q. Where does he go to school?</p> <p>3 A. Tuscaloosa County High.</p> <p>4 Q. And how long have you lived in</p> <p>5 your house?</p> <p>6 A. We built it in October -- I'm</p> <p>7 sorry, we moved in September of 2005 so</p> <p>8 15 years.</p> <p>9 Q. And what's your address?</p> <p>10 A. [REDACTED],</p> <p>11 [REDACTED].</p> <p>12 Q. Is Coker a small town?</p> <p>13 A. It is. It's -- there's several</p> <p>14 communities, I guess you could say, Buhl,</p> <p>15 Elrod, Coker. They're all a part of</p> <p>16 Tuscaloosa County.</p> <p>17 Q. And before you lived in your house</p> <p>18 that you moved into in September of 2005,</p> <p>19 where did you live?</p> <p>20 A. I lived at [REDACTED] in</p> <p>21 Northport.</p> <p>22 Q. How long were you there?</p> <p>23 A. I believe it was four years.</p>	<p>1 Q. Other than the house you live in,</p> <p>2 do you own any other properties?</p> <p>3 A. No.</p> <p>4 Q. I think I know the answer to this</p> <p>5 question, but I'm going to ask it any way,</p> <p>6 have you ever been arrested?</p> <p>7 A. No.</p> <p>8 Q. Neither have I.</p> <p>9 Have you ever been sued by</p> <p>10 anybody?</p> <p>11 A. Just by the Rondini family.</p> <p>12 Q. And can you tell me what that</p> <p>13 lawsuit was about?</p> <p>14 A. It was a wrongful death suit.</p> <p>15 Q. And it was by Michael and Cindy</p> <p>16 Rondini?</p> <p>17 A. Yes, ma'am.</p> <p>18 Q. And how was that resolved, at</p> <p>19 least when it comes to you?</p> <p>20 A. Best I understand it, the judge</p> <p>21 dismissed it.</p> <p>22 Q. Do you understand why the judge</p> <p>23 dismissed it?</p>
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<p>1 A. I don't -- I don't remember</p> <p>2 exactly.</p> <p>3 Q. Did the judge reach a decision --</p> <p>4 when it came to you, did the judge reach a</p> <p>5 decision on whether the claim had merit or</p> <p>6 not or was it based on the fact that, for</p> <p>7 example, you were immune from liability?</p> <p>8 A. I don't think it was immunity.</p> <p>9 I'm not sure. I don't remember.</p> <p>10 Q. Okay. Who was your lawyer in that</p> <p>11 case?</p> <p>12 A. I was represented by Chris</p> <p>13 McIlwain, city of Tuscaloosa.</p> <p>14 Q. So you didn't have to hire a</p> <p>15 private lawyer; the city hired a lawyer?</p> <p>16 A. Yes, ma'am.</p> <p>17 Q. Was Mr. Joel Dillard involved in</p> <p>18 the defense of that action?</p> <p>19 A. He represented Josh, the</p> <p>20 sheriff -- the sheriff's office. He</p> <p>21 represented the sheriff's office.</p> <p>22 Q. When you say he represented Josh,</p> <p>23 you mean Josh Hastings; right?</p>	<p>1 A. Yes, ma'am.</p> <p>2 Q. Why did Mr. Dillard represent Josh</p> <p>3 and not you, if you know?</p> <p>4 A. Well, we work for two separate</p> <p>5 entities. Josh Hastings works for the</p> <p>6 sheriff's office. I worked for the city</p> <p>7 of Tuscaloosa.</p> <p>8 Q. And that's because the makeup of</p> <p>9 what was once the Violent Crimes Unit --</p> <p>10 sorry, what was once the Homicide Unit is</p> <p>11 now the Violent Crimes Unit, is it was a</p> <p>12 task force made up of law enforcement</p> <p>13 officers from different agencies; correct?</p> <p>14 A. Yes, ma'am.</p> <p>15 Q. You were a part of that task force</p> <p>16 as an officer in the Tuscaloosa Police</p> <p>17 Department; correct?</p> <p>18 A. Yes, ma'am.</p> <p>19 Q. And Josh Hastings was an officer</p> <p>20 in the Tuscaloosa Sheriff's Office;</p> <p>21 correct?</p> <p>22 A. Yes, ma'am.</p> <p>23 Q. Have you ever sued anybody other</p>

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<p>1 than BuzzFeed?</p> <p>2 A. No, ma'am.</p> <p>3 Q. Do you and your family belong to a</p> <p>4 church?</p> <p>5 A. Yes.</p> <p>6 Q. What church is that?</p> <p>7 A. Well, I actually still belong to</p> <p>8 my dad's church. We go to, or we went to</p> <p>9 Northport Baptist Church. As far as a</p> <p>10 membership, I'm a member at my dad's</p> <p>11 church. My wife is actually a member of</p> <p>12 her church where she grew up in. We just</p> <p>13 never moved a membership to a church</p> <p>14 together.</p> <p>15 Q. And what is your wife's church?</p> <p>16 A. Five Points Baptist.</p> <p>17 Q. Is your wife also a Tuscaloosa</p> <p>18 neighborhood -- sorry, Tuscaloosa native?</p> <p>19 A. Yes, ma'am.</p> <p>20 Q. Where did you guys meet?</p> <p>21 A. She actually worked with my mother</p> <p>22 at University Medical Center and my mother</p> <p>23 introduced us.</p>	<p>1 Q. Kind of a nice story. So you guys</p> <p>2 didn't go to high school together?</p> <p>3 A. Right.</p> <p>4 Q. And are you -- do you attend</p> <p>5 church on the weekends?</p> <p>6 A. I don't.</p> <p>7 Q. So I take it then you're not</p> <p>8 actively involved in any groups at church?</p> <p>9 A. No, ma'am.</p> <p>10 Q. Would you say you're actively or</p> <p>11 are you involved in any community groups?</p> <p>12 A. No, ma'am.</p> <p>13 Q. You don't belong to any kind of</p> <p>14 club?</p> <p>15 A. No.</p> <p>16 Q. Is there a Fraternal Order of</p> <p>17 Police in Alabama?</p> <p>18 A. It is.</p> <p>19 Q. Have you ever belonged to the</p> <p>20 Fraternal Order of Police?</p> <p>21 A. Yes, ma'am.</p> <p>22 Q. When were you part of that</p> <p>23 organization?</p>
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<p>1 A. While I was an active police</p> <p>2 officer.</p> <p>3 Q. Did that involve going to meetings</p> <p>4 of any kind or is it just a membership</p> <p>5 card?</p> <p>6 A. It's really just a membership</p> <p>7 card. They do have meetings, but I didn't</p> <p>8 ever attend any meetings.</p> <p>9 Q. When was the last time you and</p> <p>10 your family went to church?</p> <p>11 A. I guess it would have been Easter</p> <p>12 of this year. We went to my dad's church.</p> <p>13 Q. Do you play any sports?</p> <p>14 A. I used to; don't anymore.</p> <p>15 Q. What did you used to play?</p> <p>16 A. I played football, baseball and</p> <p>17 basketball in high school.</p> <p>18 Q. And how about as a grown man, for</p> <p>19 lack of a better term?</p> <p>20 A. I played softball, church softball</p> <p>21 for it's probably been 15 years ago.</p> <p>22 Q. What's your baseball team?</p> <p>23 A. The Braves. I don't follow them</p>	<p>1 as strict as most people.</p> <p>2 Q. That's all right. I'm a Yankees</p> <p>3 fan. I know that's a tough thing to say,</p> <p>4 but I just figured I should mention my</p> <p>5 loyalties.</p> <p>6 And where do you currently work?</p> <p>7 A. Work for the University of</p> <p>8 Alabama.</p> <p>9 Q. What job do you have there?</p> <p>10 A. I work in environmental health and</p> <p>11 safety. I'm a health -- environmental</p> <p>12 hazard technician.</p> <p>13 Q. Can you tell me what that means</p> <p>14 you do?</p> <p>15 A. We inspect the buildings for fire</p> <p>16 and life safety, you know, make sure the</p> <p>17 fire alarms are working and up to date.</p> <p>18 The smoke detectors are working and up to</p> <p>19 date. They have batteries. Fire</p> <p>20 extinguishers are charged. You know, exit</p> <p>21 routes are open and exit doors are</p> <p>22 accessible to make sure everybody can get</p> <p>23 out of a building just in case of an</p>

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<p>1 emergency.</p> <p>2 Q. And how long have you worked</p> <p>3 there?</p> <p>4 A. February 3rd, 2020, was when I</p> <p>5 started.</p> <p>6 Q. So it's a pretty new job?</p> <p>7 A. Yes, ma'am.</p> <p>8 Q. The world kind of fell apart</p> <p>9 shortly after you took the job; right?</p> <p>10 A. That's right.</p> <p>11 Q. Have your responsibilities changed</p> <p>12 as a result of the current pandemic?</p> <p>13 A. We actually go into some of these</p> <p>14 spaces in these buildings where there have</p> <p>15 been some active COVID cases and spray</p> <p>16 disinfectant. It's more of a commercial</p> <p>17 grade disinfectant to try to limit</p> <p>18 exposure to other people.</p> <p>19 Q. And what made you decide to take</p> <p>20 that particular job?</p> <p>21 A. I got my 20-year mark at the city,</p> <p>22 you know, I felt like it was just -- it</p> <p>23 was time to move on and I was able to get</p>	<p>1 this position, and I'm thankful for it,</p> <p>2 but that was really -- it was just a</p> <p>3 decision that me and my wife made.</p> <p>4 Q. When you said you hit your 20-year</p> <p>5 mark, does that mean that you left your</p> <p>6 pension vested?</p> <p>7 A. Yes, ma'am. The city of</p> <p>8 Tuscaloosa had a private pension. It's</p> <p>9 not state-based or anything and there is a</p> <p>10 20-year, that's the minimum amount of time</p> <p>11 that you can work to draw a pension</p> <p>12 benefit.</p> <p>13 Q. And in New York City I have a lot</p> <p>14 of friends who are police officers. I</p> <p>15 know their pension is essentially their</p> <p>16 salary for a set period of time. Is that</p> <p>17 the same for the Tuscaloosa Police</p> <p>18 Department?</p> <p>19 A. It's actually for my life, and as</p> <p>20 long as my wife is alive and doesn't</p> <p>21 re-marry she will get the benefit.</p> <p>22 Q. You said that -- so you get your</p> <p>23 full Tuscaloosa Police Department salary,</p>
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<p>1 plus your salary at the University of</p> <p>2 Alabama; right?</p> <p>3 A. It's not a full pension. It's</p> <p>4 hard to explain. It's a percentage -- a</p> <p>5 full pension at the city is -- I forget</p> <p>6 the dollar amount, but to get a full</p> <p>7 pension would be working 25 years.</p> <p>8 That's like the standard that, you</p> <p>9 know, is there. You can work over 25.</p> <p>10 You know, you can work as long as you want</p> <p>11 to. Most people they have a drop program</p> <p>12 or drop plan.</p> <p>13 Once you pass your 25-year mark</p> <p>14 you can sign up for this drop plan, and</p> <p>15 the money that would normally come out of</p> <p>16 my check to go into a pension fund would</p> <p>17 go into like an annuity and I could work</p> <p>18 in that capacity for up to five years, and</p> <p>19 then at the end of that five years they</p> <p>20 would, you know, hand me everything that</p> <p>21 was in that annuity and then I would draw</p> <p>22 a monthly pension benefit also.</p> <p>23 Q. But you chose not to do that?</p>	<p>1 A. Yes, ma'am.</p> <p>2 Q. Why is that?</p> <p>3 A. I just felt like my effectiveness</p> <p>4 as a police officer was compromised and</p> <p>5 that's why we decided to do that.</p> <p>6 Q. Can you explain that a little more</p> <p>7 to me please?</p> <p>8 A. Well, you know, while you're</p> <p>9 working, you know, you build relationships</p> <p>10 with the community, you know, and in turn</p> <p>11 as crimes happen, you know, a lot of the</p> <p>12 time you have to go to the community to</p> <p>13 get help, you know, because you couldn't</p> <p>14 do it without the help of a community.</p> <p>15 You know, it's all of us trying to</p> <p>16 make the place better, and, you know, ever</p> <p>17 since this article came out, I know the</p> <p>18 guys that I work with in homicide they</p> <p>19 stand behind our work and I stand behind</p> <p>20 my work 100 percent, but, you know, when</p> <p>21 you get calls that question your integrity</p> <p>22 and, you know, they want you put in jail</p> <p>23 for something that I didn't do, you know,</p>

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<p>1 it's -- you know, it's just hard to carry 2 out the duties of an officer if you've 3 lost the trust of the people that you're 4 supposed to help protect and serve. 5 And I've never had an issue with 6 that. I've never had disciplinary issues. 7 I've always respected authority within the 8 police department. You know, it's just I 9 felt like my credibility and my 10 effectiveness as an officer was gone, you 11 know, ever since that article. 12 You know, I just -- it questioned 13 my name and, you know, that's just 14 something that it's hard to get back. I 15 mean you have a lifetime to build trust 16 and, you know, it can be taken away in a 17 second, you know, and I just -- I felt 18 like my trust was lost, not on anything I 19 did, but it was the way that the article 20 was worded that, you know, basically 21 saying that I'm for sale, you know. My 22 name has never been for sale, never will 23 be for sale.</p>	<p>1 Q. Okay. How long had you worked -- 2 sorry, what year did you first come to the 3 Tuscaloosa Police Department? 4 A. June 21st, 1999. 5 Q. And you were in the patrol 6 division; right? 7 A. Yes, ma'am. 8 MS. BOLGER: J. T, can you 9 hand Investigator Jones it's Jones 4552? 10 Hold on, I didn't write down what document 11 that was. Sorry. It's AM. 12 MR. THOMPSON: Yeah. 13 MS. BOLGER: Thanks. Nancy, 14 I think we're at 26. 15 (Whereupon, a document was marked 16 as Defendant's Exhibit No. 26 and 17 is attached to the original 18 transcript.) 19 (Off the record.) 20 MS. BOLGER: So just for the 21 record, I'm handing -- asking J. T. to 22 hand the witness document produced by 23 Jones and Hastings and we gave the number</p>
Page 31	Page 32
<p>1 Jones-Hastings 452, and it's a résumé with 2 the name Adam Jones on top. 3 Q. And my first question, 4 Investigator, Jones is quite simple. Have 5 you seen this before? 6 A. Yes, ma'am. 7 Q. And what is this? 8 A. It does look like a résumé. 9 Q. Did you put this together? 10 A. Yes. 11 Q. When did you do that? 12 A. I don't remember. It's -- I don't 13 remember the date or year that I -- it 14 would have probably been a couple of years 15 ago. 16 Q. Do you remember what occasioned 17 you to put it together? 18 A. I don't know if this was when I 19 was, you know, just showing my experience 20 and everything on behalf of this or if 21 this was an actual résumé that I used for 22 a job. I don't remember. 23 Q. Okay. You just said you don't</p>	<p>1 know whether you did it showing your 2 experience in relation to this, or you 3 used words to that effect. What did you 4 mean by that? 5 A. This lawsuit. 6 Q. This lawsuit, the lawsuit against 7 BuzzFeed rather than the lawsuit brought 8 by the Rondini family? 9 A. Yes, yes. 10 Q. Okay. So if you take a look at 11 the patrol division, what were your job 12 responsibilities in the patrol division? 13 A. Just answer calls for service as 14 they would come in, you know, citizens 15 would call, you know, whatever complaint 16 they had. We would go to the scene, take 17 a report. You know, if anybody had to go 18 to jail, took them to jail -- we took them 19 to jail. 20 You know. It was various calls. 21 It was, you know, it ranged anything from 22 an animal call to a shooting, you know. 23 Q. And did you as a patrol officer</p>

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<p>1 did you do the initial offense report?</p> <p>2 A. Yes.</p> <p>3 Q. And were you involved in any type</p> <p>4 of rape investigations or any type of that</p> <p>5 police work while you were in the patrol</p> <p>6 division?</p> <p>7 A. I don't remember anything</p> <p>8 specifically. I know that I have taken</p> <p>9 rape reports while I was in patrol.</p> <p>10 Q. And that was the initial report,</p> <p>11 you didn't do the investigating; correct?</p> <p>12 A. Yes, ma'am.</p> <p>13 Q. One of the complexities of taking</p> <p>14 a Zoom deposition is knowing how to look</p> <p>15 you in the eye, so if I look like I'm not</p> <p>16 looking you in the eye I apologize, I am</p> <p>17 trying to but I can't figure out where it</p> <p>18 is, so I apologize in advance if you think</p> <p>19 I'm being shift with my eyes.</p> <p>20 A. Okay.</p> <p>21 Q. Do you know, did the Tuscaloosa</p> <p>22 Police Department use the phrase "special</p> <p>23 inquiry"?</p>	<p>1 A. Yes.</p> <p>2 Q. What is a special inquiry?</p> <p>3 A. It was any crime that -- well, I</p> <p>4 say any crime. It was any call that may</p> <p>5 have not met the elements of a specific</p> <p>6 crime but it warranted an investigation.</p> <p>7 You know, like a special inquiry</p> <p>8 sexual assault, special inquiry, burglary.</p> <p>9 It could be various things, but it was,</p> <p>10 you know, the officer could see that, you</p> <p>11 know, a further investigation needed to be</p> <p>12 done, but the elements of the crime was</p> <p>13 not met to actually call it a burglary,</p> <p>14 whatever the crime may be.</p> <p>15 Q. Okay. Did you while you were</p> <p>16 patrol officer ever designate an</p> <p>17 investigation as a special inquiry?</p> <p>18 A. I'm sure I have. I don't remember</p> <p>19 any specifically.</p> <p>20 Q. Do you remember any type of rape</p> <p>21 or sex investigation that you designated</p> <p>22 as a special inquiry as a patrol officer?</p> <p>23 A. I don't remember.</p>
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<p>1 Q. So it says on your résumé that you</p> <p>2 were in the patrol division from 1999 to</p> <p>3 2005 and then you transferred to the</p> <p>4 Criminal Investigations Division; correct?</p> <p>5 A. Yes, ma'am.</p> <p>6 Q. And what is the Criminal</p> <p>7 Investigations Division?</p> <p>8 A. It investigated robberies,</p> <p>9 financial crimes, burglaries, thefts, any</p> <p>10 miscellaneous investigation other than a</p> <p>11 serious crime, or violent crime I should</p> <p>12 say. That pretty much covered it.</p> <p>13 Q. Were you involved in any rape</p> <p>14 investigations while working for the</p> <p>15 financial -- I'm sorry, in the Criminal</p> <p>16 Investigations Division?</p> <p>17 A. No, ma'am.</p> <p>18 MS. BOLGER: I'm just going</p> <p>19 to close my blinds so I don't go blind.</p> <p>20 Hold on, sorry about that. Very sunny in</p> <p>21 New York today.</p> <p>22 Q. Okay. Did you -- well, you were</p> <p>23 in the patrol division. Did you have to</p>	<p>1 ask a supervisor before you designated</p> <p>2 something as a special inquiry?</p> <p>3 A. Maybe as a younger officer I may</p> <p>4 have, but, you know, the more experience</p> <p>5 you get, you know, if you're not riding</p> <p>6 with a training officer, if you're the</p> <p>7 more veteran I guess you could say</p> <p>8 officer, you realized the elements of a</p> <p>9 crime that need to be met before you can</p> <p>10 label it that crime, and I don't</p> <p>11 specifically remember asking a supervisor</p> <p>12 should I label this special inquiry.</p> <p>13 Q. Okay. Then in 2014 -- sorry,</p> <p>14 2009, you transferred to the traffic</p> <p>15 division; right?</p> <p>16 A. Yes, ma'am.</p> <p>17 Q. Why did you do that?</p> <p>18 A. It was just -- it was a division</p> <p>19 that I had interest in. There happened to</p> <p>20 be an opening and I applied for it and was</p> <p>21 given the opportunity.</p> <p>22 Q. Why was it interesting to you?</p> <p>23 A. You ride a motorcycle, get to ride</p>

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<p>1 a Harley Davidson all day long, so you do</p> <p>2 traffic accidents. You know, writing</p> <p>3 tickets, I was never huge on writing</p> <p>4 tickets. You know, they would always say</p> <p>5 something you need to write more tickets</p> <p>6 but, you know, it was just one of those</p> <p>7 things that it's part of the job, you knew</p> <p>8 you had to do it, but didn't really enjoy</p> <p>9 it.</p> <p>10 Q. You're probably even too young for</p> <p>11 Chips but that's what I think of when I</p> <p>12 think of motorcycles --</p> <p>13 A. I've seen it.</p> <p>14 Q. Okay. And while you were in the</p> <p>15 traffic division were you involved in any</p> <p>16 type of rape investigation?</p> <p>17 A. No, ma'am.</p> <p>18 Q. And you were in the traffic</p> <p>19 division for five years; right?</p> <p>20 A. Yes, ma'am.</p> <p>21 Q. And in 2014 you transferred to</p> <p>22 what was then called the Tuscaloosa</p> <p>23 Homicide Unit; correct?</p>	<p>1 A. Yes.</p> <p>2 Q. And what month did you transfer?</p> <p>3 A. I believe it was January of 2014.</p> <p>4 Q. So it was January of 2014?</p> <p>5 A. Yes, ma'am, I believe so.</p> <p>6 Q. And why did you transfer there?</p> <p>7 A. Homicide is where -- ever since I</p> <p>8 was I think my second year at the police</p> <p>9 department I had -- there was an opening</p> <p>10 in Homicide and I applied for it.</p> <p>11 I knew I wasn't going to get it,</p> <p>12 but I wanted to show that I was interested</p> <p>13 in going, and, you know, as opening came</p> <p>14 up through out those years during my</p> <p>15 20-year -- or I'm sorry, up to that point</p> <p>16 it was 14 years, but I had applied for the</p> <p>17 openings in Homicide and, you know, it was</p> <p>18 always more experienced or more senior</p> <p>19 officers that were given that opportunity.</p> <p>20 And then when that opening came</p> <p>21 up, I believe it was late 2013, I applied</p> <p>22 for it and was given that opportunity.</p> <p>23 Q. Okay. And what were your</p>
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<p>1 responsibilities as an investigator in the</p> <p>2 Violent Crimes Unit or Homicide Unit?</p> <p>3 A. We would as the cases were</p> <p>4 assigned to us, the initial incident</p> <p>5 offense reports that were taken by</p> <p>6 officers, they would come into our office</p> <p>7 and we would be assigned those cases.</p> <p>8 Any active cases, you know, any</p> <p>9 major crime that we were called out on, a</p> <p>10 shooting, rape, you know, robberies with a</p> <p>11 shooting, any kind of violent crime, we</p> <p>12 were called out to process the scenes,</p> <p>13 collect evidence, take photos, video, make</p> <p>14 contact with suspects, victims, witnesses,</p> <p>15 interview all of them, and basically that</p> <p>16 you were taking care of a case from</p> <p>17 beginning to end up there.</p> <p>18 Q. And did you have any training in</p> <p>19 between being in the traffic division and</p> <p>20 the Homicide Unit?</p> <p>21 A. There were certain schools that</p> <p>22 would come available, excuse me, like</p> <p>23 interviewing and interrogation schools. I</p>	<p>1 got to go to a couple of those. It was</p> <p>2 based out of Meridian, Mississippi is the</p> <p>3 one I remember in particular because it</p> <p>4 was about a week long school.</p> <p>5 Several speakers I guess you could</p> <p>6 say or teachers would come to the police</p> <p>7 department and they would allow some slots</p> <p>8 for the Tuscaloosa Police Department to</p> <p>9 have people go, and there again, it was</p> <p>10 like, you know, you would request to go.</p> <p>11 If there were people that were more senior</p> <p>12 than you, you know, they may get the nod</p> <p>13 to go instead of you, but I had some</p> <p>14 opportunities to go to some schools.</p> <p>15 Q. Okay. So I just want to make sure</p> <p>16 I understand that your answer is to my</p> <p>17 questions, which is between the time that</p> <p>18 you were in the traffic -- switching from</p> <p>19 the traffic division to the Homicide Unit,</p> <p>20 did you have training during that time?</p> <p>21 Is there like a specific course that you</p> <p>22 had to do --</p> <p>23 A. I don't remember any interrogation</p>

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<p>1 or interview schools or anything like that</p> <p>2 during that time, no.</p> <p>3 Q. Okay. So one day you were in the</p> <p>4 traffic division and then the next day you</p> <p>5 were in the Homicide Unit with no formal</p> <p>6 transition; correct?</p> <p>7 A. Right.</p> <p>8 Q. Who did you report to when you</p> <p>9 were in the Homicide Unit? Actually let's</p> <p>10 do this, in 2015 who did you report to in</p> <p>11 the Homicide Unit?</p> <p>12 A. Well, there was a sergeant</p> <p>13 assigned from the city, Robert Davis, and</p> <p>14 then Captain Hart, I think he was a</p> <p>15 lieutenant at that time, but I'm going to</p> <p>16 call him Captain Hart, that's what he was</p> <p>17 when I left, he was my immediate</p> <p>18 supervisor with the city, but the</p> <p>19 commander of the unit was Gary Hood.</p> <p>20 Q. Okay. So sorry. You said</p> <p>21 captain, then Lieutenant Hart, was your</p> <p>22 immediate supervisor?</p> <p>23 A. I believe he was a lieutenant</p>	<p>1 then. I'm not sure, but he was a</p> <p>2 lieutenant before he was a captain.</p> <p>3 Q. Right.</p> <p>4 MS. BOLGER: J. T., would</p> <p>5 you mind handing the witness it's</p> <p>6 Exhibit 16 from the last deposition, which</p> <p>7 is the AJ?</p> <p>8 MR. THOMPSON: Yeah, just a</p> <p>9 second.</p> <p>10 MS. BOLGER: It's the</p> <p>11 standards and procedures, page 24 of AJ.</p> <p>12 (Whereupon, a document that was</p> <p>13 previously marked as Defendant's</p> <p>14 Exhibit No. 16 was referenced and</p> <p>15 is attached to the original</p> <p>16 transcript.)</p> <p>17 MR. THOMPSON: Do you just</p> <p>18 want me to extract page 24, Kate, or do</p> <p>19 you want the entire exhibit?</p> <p>20 MS. BOLGER: No, it's page</p> <p>21 24, it's quite long so I'm sure you're</p> <p>22 going to love that, it's 24 through 105 is</p> <p>23 the standard operating procedures.</p>
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<p>1 We marked it as Exhibit 16</p> <p>2 at the last deposition.</p> <p>3 MR. THOMPSON: I've got it.</p> <p>4 Hang on.</p> <p>5 MS. BOLGER: The last</p> <p>6 deposition I was at.</p> <p>7 Q. So Exhibit 16 is the Tuscaloosa</p> <p>8 Violent Crimes Unit Standard Operating</p> <p>9 Procedures 1 through 11. Have you seen</p> <p>10 this before?</p> <p>11 A. It's been a while but yes, ma'am.</p> <p>12 Q. When did you first see it?</p> <p>13 A. It would have been January of</p> <p>14 2014.</p> <p>15 Q. And in what context did you see</p> <p>16 it?</p> <p>17 A. They handed me a notebook that had</p> <p>18 this in it. You know, told me to review</p> <p>19 it.</p> <p>20 Q. Were you required to read it?</p> <p>21 A. Yes.</p> <p>22 Q. Did you have to sign anything that</p> <p>23 said you read it, like you have to do in</p>	<p>1 school?</p> <p>2 A. I believe -- this one doesn't have</p> <p>3 it but I believe at the end of every</p> <p>4 procedure you had to initial, I believe,</p> <p>5 if I remember correctly.</p> <p>6 Q. And other than that first time you</p> <p>7 read it -- well, did you read it when you</p> <p>8 first got it?</p> <p>9 A. Yes.</p> <p>10 Q. Other than that first time, have</p> <p>11 you read it since?</p> <p>12 A. No.</p> <p>13 Q. Do you know if it's been amended</p> <p>14 over time?</p> <p>15 A. I don't know.</p> <p>16 Q. Nonetheless, these are the</p> <p>17 standard operating procedures of what was</p> <p>18 then the Homicide Unit is now the Violent</p> <p>19 Crimes Unit; right?</p> <p>20 A. Yes.</p> <p>21 Q. They're supposed to be your</p> <p>22 standard operating procedures that you</p> <p>23 followed as an investigator; correct?</p>

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<p style="text-align: right;">Page 45</p> <p>1 A. Yes.</p> <p>2 Q. And to the best of your knowledge</p> <p>3 did you follow them?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. If you'll take a look back</p> <p>6 at your résumé, which is Exhibit 26, it</p> <p>7 says education, you graduated from</p> <p>8 Tuscaloosa Christian School in 1995; is</p> <p>9 that right?</p> <p>10 A. Yes, ma'am.</p> <p>11 Q. And that's high school?</p> <p>12 A. Yes, ma'am.</p> <p>13 Q. Did you go to college at all?</p> <p>14 A. I went a couple of semesters. I</p> <p>15 started at the university and went one</p> <p>16 semester and then I went to Shelton State</p> <p>17 Community College for a semester.</p> <p>18 Q. When you say you started at the</p> <p>19 university, you mean the University of</p> <p>20 Alabama; right?</p> <p>21 A. Yes.</p> <p>22 Q. And then you decided college</p> <p>23 wasn't for you?</p>	<p style="text-align: right;">Page 46</p> <p>1 A. Yes.</p> <p>2 Q. And then it says 1999 graduate</p> <p>3 from APOSTC Academy in Selma, Class 107.</p> <p>4 Do you see that?</p> <p>5 A. Yes, ma'am.</p> <p>6 Q. What is APOSTC?</p> <p>7 A. Alabama Peace Officers' Standards</p> <p>8 and Training Commission.</p> <p>9 Q. Is that essentially basic training</p> <p>10 for being a police officer?</p> <p>11 A. Police Academy, yes, ma'am.</p> <p>12 Q. And it says in 2007 you went to</p> <p>13 the handwriting and statement analysis?</p> <p>14 A. Yes, ma'am.</p> <p>15 Q. Where was that?</p> <p>16 A. It was actually about like a Zoom</p> <p>17 session now. We did it online. It was me</p> <p>18 and a female in CID, or Criminal</p> <p>19 Investigations, they sent us to this</p> <p>20 training. And I say sent us to the</p> <p>21 training, it was online, so it was several</p> <p>22 months of training. It wasn't, you know,</p> <p>23 an overnight thing.</p>
<p style="text-align: right;">Page 47</p> <p>1 Q. Okay. And then if you look at the</p> <p>2 second page of the exhibit, it's 453, and</p> <p>3 it says schools attended on the top. Are</p> <p>4 you with me?</p> <p>5 A. Yes, ma'am.</p> <p>6 Q. Okay, great. I think the sound</p> <p>7 cut off for a second, so I apologize for</p> <p>8 asking twice.</p> <p>9 When you say schools, what do you</p> <p>10 mean by schools?</p> <p>11 A. Training, training schools. You</p> <p>12 know, it's probably nothing, you know, a</p> <p>13 year long or nothing like that. It's just</p> <p>14 training that I've attended.</p> <p>15 Q. And you mean like would a synonym</p> <p>16 for schools be seminars?</p> <p>17 A. Some were more in-depth than</p> <p>18 seminars. There was some actual training</p> <p>19 involved as far as seems like, and I can't</p> <p>20 remember which ones, but there were tests</p> <p>21 involved in some of these that you had to</p> <p>22 actually pass to, you know, get your</p> <p>23 certificate.</p>	<p style="text-align: right;">Page 48</p> <p>1 Q. That's part about being an adult</p> <p>2 is not taking tests anymore so I apologize</p> <p>3 for that.</p> <p>4 You'll see there's a school</p> <p>5 attended that says responding to sexual</p> <p>6 assaults and rape. Do you see that?</p> <p>7 A. Yes, ma'am.</p> <p>8 Q. What school was that?</p> <p>9 A. That was probably more of a</p> <p>10 seminar type, and I think it was somebody</p> <p>11 that came to the department to do training</p> <p>12 and it was one of those that you had to</p> <p>13 apply for and I'm not -- on this list here</p> <p>14 I mean we had monthly training on</p> <p>15 different topics, but this -- these are</p> <p>16 particular ones that I was chosen to go to</p> <p>17 or I had to apply to actually go to and</p> <p>18 that was one of those that, you know, I</p> <p>19 was trying to improve my chances and my</p> <p>20 knowledge of the job of homicide before I</p> <p>21 even got there. That's not one that I</p> <p>22 went to while I was in Homicide.</p> <p>23 Q. When did you go?</p>

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<p>1 A. I don't remember.</p> <p>2 Q. Did you travel somewhere to go to</p> <p>3 the seminar?</p> <p>4 A. I believe the instructor came to</p> <p>5 the police department.</p> <p>6 Q. Do you remember the name of the</p> <p>7 instructor?</p> <p>8 A. I don't.</p> <p>9 Q. Man or woman?</p> <p>10 A. I don't remember.</p> <p>11 Q. Do you remember how long it was?</p> <p>12 A. I don't remember.</p> <p>13 Q. Do you remember anything about</p> <p>14 what you learned?</p> <p>15 A. I don't.</p> <p>16 Q. Can you place it at all in a</p> <p>17 timeframe? You said it was before you</p> <p>18 were in Homicide. Do you know how many</p> <p>19 years before?</p> <p>20 A. I would probably say it's greater</p> <p>21 than five years before I -- it could have</p> <p>22 been when I was in the Criminal</p> <p>23 Investigations. I know it was not while I</p>	<p>1 was in traffic division, that's all I</p> <p>2 know.</p> <p>3 Q. You're saying it could have been</p> <p>4 greater than five years before you were in</p> <p>5 Homicide?</p> <p>6 A. Yes.</p> <p>7 Q. Too many papers on my desk, hold</p> <p>8 on one second. So before July of 2015,</p> <p>9 how many sexual assaults had you</p> <p>10 investigated?</p> <p>11 A. I would say dozens. I don't have</p> <p>12 a number. I would say dozens.</p> <p>13 Q. And how many of those led to</p> <p>14 arrests?</p> <p>15 A. I don't remember.</p> <p>16 Q. Most of them?</p> <p>17 MR. COCKRELL: Object to the</p> <p>18 form. I believe he answered.</p> <p>19 A. I don't remember.</p> <p>20 Q. (By Ms. Bolger) Would you say less</p> <p>21 than 50 percent of them did?</p> <p>22 A. I don't remember.</p> <p>23 Q. Do you remember any of the</p>
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<p>1 investigations resulting in any</p> <p>2 convictions?</p> <p>3 A. I don't remember.</p> <p>4 Q. How many rape -- for how many rape</p> <p>5 investigations were you the lead</p> <p>6 investigator?</p> <p>7 A. I don't remember.</p> <p>8 Q. So in July 2015, you had been in</p> <p>9 the Homicide Unit for about 18 months.</p> <p>10 Had you been the lead investigator for ten</p> <p>11 rape investigations?</p> <p>12 A. I can't say for sure.</p> <p>13 Q. Well, does it feel to you like it</p> <p>14 was less than ten?</p> <p>15 A. No, I would say -- I would say</p> <p>16 more, but I don't know for sure.</p> <p>17 Q. More than ten. Would you say less</p> <p>18 than 20?</p> <p>19 A. I don't know.</p> <p>20 Q. Does 20 sound about right to you?</p> <p>21 MR. COCKRELL: Object to the</p> <p>22 form.</p> <p>23 A. I mean, I don't have a number. I</p>	<p>1 don't really know how many it was. There</p> <p>2 was -- that was a busy year that year for</p> <p>3 everything so I couldn't tell you how many</p> <p>4 I worked or primary on.</p> <p>5 Q. (By Ms. Bolger) What do you mean</p> <p>6 it was a busy year that year for</p> <p>7 everything?</p> <p>8 A. Well, shootings, murders. I mean</p> <p>9 it was -- there was a lot in the unit</p> <p>10 going on as far as cases go.</p> <p>11 Q. What is the difference -- what is</p> <p>12 a lead investigator?</p> <p>13 A. It's basically the one that would</p> <p>14 put the documents or the evidence</p> <p>15 together, type up the felony packet,</p> <p>16 present it to grand jury, and they were</p> <p>17 basically responsible for the paperwork.</p> <p>18 Q. So as the lead investigator were</p> <p>19 you supposed to be sort of across all of</p> <p>20 the information in the file?</p> <p>21 A. Yes.</p> <p>22 Q. Before July 2015, other than the</p> <p>23 course we talked about, what training had</p>

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<p>1 you undergone to investigate sexual 2 assaults? 3 A. When I got to Homicide they sent 4 me to a school -- it was a homicide 5 school. They did touch on sexual 6 assaults. 7 I know it was a retired detective 8 from Miami-Dade. It was in the city of 9 Homewood. But other than that, that was 10 probably the only school that I went to. 11 Q. And you did that before July 2015? 12 A. Yes. 13 Q. And you said a homicide school, I 14 think what you said, and there is a slight 15 lag on Zoom so if I'm putting the wrong 16 words in your mouth, you'll have to 17 correct me, but I think you said there was 18 a homicide school that touched on sexual 19 assaults; right? 20 A. Yes, yes. 21 Q. And what do you mean touched on 22 sexual assaults? 23 A. Well, they just -- I guess it was</p>	<p>1 the response and, you know, investigative 2 techniques, or I don't remember specifics 3 about it. It was more of -- honestly, it 4 was more of the guy standing up there 5 talking about his investigations that he 6 had at Miami-Dade County. 7 Q. Okay. About how much time did he 8 spend on sexual assaults? 9 A. I would say probably a day. 10 Q. A whole day on sexual assaults? 11 A. Anywhere from half a day to a day, 12 yeah. 13 Q. How long was the whole homicide 14 school? 15 A. It was a week. 16 Q. Did you ever have any special -- 17 before July 2015, did you ever have any 18 special training for investigating crimes 19 on university campuses? 20 A. No. 21 Q. Did you ever have any training 22 before July 2015 for investigating 23 alcohol-based offenses?</p>
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<p>1 A. No. 2 Q. And before July 2015, had you ever 3 had any training on trauma-based 4 questioning? 5 A. No. 6 Q. Were you aware in 2015 of any 7 Tuscaloosa Police Department protocols or 8 instructions or standard operating 9 procedures that would have been involved 10 in sexual assault investigations? 11 A. The only thing from the police 12 department division would be a PGO, 13 procedural general order, I couldn't tell 14 you the number, but it was basically 15 dealing with the Homicide Unit and it just 16 gave an outline, you know, if you as a 17 responding officer go to these and it gave 18 a list of crimes, murder, attempted 19 murder, assault first degree, assault 20 second degree, rape, kidnapping, if you go 21 to those, contact a supervisor and they 22 would in turn contact the homicide 23 division who would take over that</p>	<p>1 investigation. 2 Q. And we talk about the standard 3 operating procedures that I showed you. 4 Other than that PGO and the standard 5 operating procedure, were you aware of any 6 protocols or rules for sexual assault 7 investigations? 8 A. No. 9 Q. Now, the New York Police 10 Department has something called the patrol 11 book and the patrol book is a guide that 12 tells the police department how to 13 interact with the public and the media on 14 certain issues. Is there such a thing in 15 the Tuscaloosa Police Department? 16 A. The closest thing would be that 17 Procedure General Order, PGO. 18 Q. Okay. I just didn't know if there 19 was a separate -- I don't know what to 20 call it, I didn't know if there was a 21 separate book. 22 A. That would be it. 23 Q. After July 2015, which is after</p>

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<p>1 the Rondini investigation, did you have</p> <p>2 any training in sexual assault</p> <p>3 investigation?</p> <p>4 A. No.</p> <p>5 Q. Or alcohol-based offense</p> <p>6 investigations?</p> <p>7 A. No, ma'am.</p> <p>8 Q. Or trauma-based interview</p> <p>9 questioning?</p> <p>10 A. No, ma'am.</p> <p>11 Q. Did anything change within the</p> <p>12 Homicide Unit after the publication of the</p> <p>13 BuzzFeed article?</p> <p>14 A. The name changed was the biggest</p> <p>15 -- well, it's really the only thing I can</p> <p>16 remember is the name of the unit changed.</p> <p>17 Q. And that was as a result of the --</p> <p>18 was that as a result of the BuzzFeed</p> <p>19 article or something else?</p> <p>20 A. I'm not sure. I didn't have</p> <p>21 anything to do with the change. That was</p> <p>22 up to the sheriff and, you know, the chief</p> <p>23 deputies so, you know, we're still going</p>	<p>1 -- we're still going to respond to the</p> <p>2 crimes that we're assigned so, you know,</p> <p>3 nothing changed as far as our work product</p> <p>4 but it was just the name.</p> <p>5 Q. Did you -- have you ever had any</p> <p>6 training specifically on interrogating</p> <p>7 sexual assault victims?</p> <p>8 A. No.</p> <p>9 Q. Do you know what you a SANE nurse</p> <p>10 is?</p> <p>11 A. Sexual assault nurse.</p> <p>12 Q. What is a SANE nurse?</p> <p>13 A. The way I understand it is they're</p> <p>14 specialized and trained to collect</p> <p>15 evidence and give aid and assistance to</p> <p>16 sexual assault victims, and they do have</p> <p>17 specialized training to preserve evidence.</p> <p>18 Q. In July 2015 were there any SANE</p> <p>19 nurses in Tuscaloosa that you're aware of?</p> <p>20 A. I don't remember. I know the</p> <p>21 conversation had come up before, but I</p> <p>22 couldn't say for sure.</p> <p>23 Q. Do you know if there are now?</p>
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<p>1 A. I know there's at least one SANE</p> <p>2 nurse -- I'm sorry, one SANE nurse in</p> <p>3 Tuscaloosa County.</p> <p>4 Q. And who is that?</p> <p>5 A. I can't tell you her name. I know</p> <p>6 she's at the new center that was built.</p> <p>7 Q. What is the new center that was</p> <p>8 built?</p> <p>9 A. The Safe Center. There's a</p> <p>10 director and then the SANE nurse, and I'm</p> <p>11 not sure, you know, who's over the Safe</p> <p>12 Center as far as any kind of funding or</p> <p>13 anything like that.</p> <p>14 I don't know if it's the director</p> <p>15 or -- I just know that that's where sexual</p> <p>16 assault victims do go now.</p> <p>17 Q. And when did that center open?</p> <p>18 A. I don't remember exactly.</p> <p>19 Q. Do you remember whether either the</p> <p>20 Homicide Unit or the law enforcement</p> <p>21 agencies in Tuscaloosa were involved in</p> <p>22 the opening of that center?</p> <p>23 A. I'm not aware of it.</p>	<p>1 Q. Was that as a result of the</p> <p>2 publication of the BuzzFeed article that</p> <p>3 that center opened?</p> <p>4 A. I'm not sure.</p> <p>5 Q. Well, timing-wise, would that work</p> <p>6 out?</p> <p>7 A. I mean, if timing is being after</p> <p>8 the article, yes. I mean, but I don't</p> <p>9 know if that was the reasoning behind it</p> <p>10 opening.</p> <p>11 Q. Have you heard that it was?</p> <p>12 A. I haven't heard that.</p> <p>13 Q. Have you ever heard of the</p> <p>14 International Association of the Chiefs of</p> <p>15 Police, IACP?</p> <p>16 A. I've heard of it, yes, ma'am.</p> <p>17 Q. What is it?</p> <p>18 A. I don't really know. I just think</p> <p>19 it's one of those organizations, you know,</p> <p>20 in my mind I think it may be like for the</p> <p>21 police chiefs to be members of and I guess</p> <p>22 they get training maybe through IACP. I'm</p> <p>23 not sure. I believe they do training, but</p>

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<p>1 I've never been involved with IACP, so.</p> <p>2 Q. Okay.</p> <p>3 MS. BOLGER: J. T., could</p> <p>4 you hand Investigator Jones AE?</p> <p>5 And, Nancy, this will be 27</p> <p>6 please.</p> <p>7 (Off the record.)</p> <p>8 (Whereupon, a document was marked</p> <p>9 as Defendant's Exhibit No. 27 and</p> <p>10 is attached to the original</p> <p>11 transcript.)</p> <p>12 MS. BOLGER: For the record,</p> <p>13 please feel free to look, Investigator</p> <p>14 Jones, for the record Exhibit 27 is the</p> <p>15 IACP Sexual Assault Incident Report</p> <p>16 Investigative Strategies.</p> <p>17 Q. Investigator Jones, my question is</p> <p>18 just going to be have you ever seen this</p> <p>19 before?</p> <p>20 A. No, ma'am.</p> <p>21 Q. Has anyone ever talked to you</p> <p>22 about the investigative strategies that</p> <p>23 IACP recommends for sexual assaults?</p>	<p>1 A. No.</p> <p>2 Q. Have you ever heard that these</p> <p>3 strategies were used in helping to draft</p> <p>4 the Tuscaloosa Violent Crimes Unit</p> <p>5 standard operating procedures?</p> <p>6 A. I've never heard that.</p> <p>7 Q. So you've never seen this before?</p> <p>8 A. No, ma'am, I haven't.</p> <p>9 Q. Okay. You can put that aside.</p> <p>10 Have you ever read or heard of a</p> <p>11 publication called Prosecuting</p> <p>12 Alcohol-Facilitated Sexual Assaults, which</p> <p>13 was published by the American Prosecutor's</p> <p>14 Research Institute?</p> <p>15 A. No, ma'am, never heard of it.</p> <p>16 Q. Captain Hood never talked to you</p> <p>17 about it?</p> <p>18 A. No, ma'am.</p> <p>19 Q. And you've never read it?</p> <p>20 A. No, ma'am.</p> <p>21 MR. COCKRELL: What was the</p> <p>22 name of that again, Kate?</p> <p>23 MS. BOLGER: I'm so sorry,</p>
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<p>1 say that louder.</p> <p>2 MR. COCKRELL: I couldn't</p> <p>3 hear the name of that article. What was</p> <p>4 it?</p> <p>5 MS. BOLGER: Prosecuting</p> <p>6 Alcohol-Facilitated Sexual Assaults, and</p> <p>7 it was published by the American</p> <p>8 Prosecutor's Research Institute. And it's</p> <p>9 in Captain Hood's emails to Katie, if</p> <p>10 you're looking for it.</p> <p>11 MR. COCKRELL: Okay.</p> <p>12 MS. BOLGER: Why don't we</p> <p>13 take a two-minute break? We've been going</p> <p>14 almost an hour, and I'm going to change</p> <p>15 topics, so why don't we take a two-minute</p> <p>16 break or a five-minute break and I'll be</p> <p>17 right back.</p> <p>18 VIDEOGRAPHER: Off the</p> <p>19 record at 10:04 a.m.</p> <p>20 (Recess was taken.)</p> <p>21 VIDEOGRAPHER: We're back on</p> <p>22 the record at 10:18 a.m.</p> <p>23 Q. Before we broke, Investigator</p>	<p>1 Jones, you were talking about going to</p> <p>2 interrogation schools and interviewing</p> <p>3 schools. Where were those?</p> <p>4 A. There was one in Meridian,</p> <p>5 Mississippi. There was another one that</p> <p>6 the host actually came to -- or I'm sorry,</p> <p>7 the speaker actually game to the</p> <p>8 Tuscaloosa Police Department. Both of</p> <p>9 those were about a week, week-long</p> <p>10 schools.</p> <p>11 There were maybe, you know, some</p> <p>12 day or two interview schools, but I can't</p> <p>13 really remember the names of the</p> <p>14 instructors or anything.</p> <p>15 Q. On your résumé that we talked</p> <p>16 about, you talk about going to a training</p> <p>17 center at Mississippi State University.</p> <p>18 That was in -- this was in cybercrime</p> <p>19 forensic training. Did you go there for</p> <p>20 those interrogation and interview schools?</p> <p>21 A. No, the interrogation schools were</p> <p>22 at the Meridian Air Force base and inside</p> <p>23 that Air Force base is regional -- RCTA is</p>

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<p>1 what everybody calls it around the south,  2 but it's regional counter drug training  3 academy. It's -- the funding comes from I  4 guess the DEA or, you know, something like  5 that, but they span different schools like  6 interview and interrogation, audio  7 surveillance, it's various schools within  8 that training academy in Meridian.  9 Q. Great, thank you. Did there come  10 a time when you learned that a Megan  11 Rondini was making allegations that she  12 had been sexually assaulted by a man named  13 T. J. Bunn?  14 A. I'm sorry, the first part of it?  15 Q. I said did there come a time when  16 you learned that a woman named Megan  17 Rondini was making allegations that she  18 was sexually assaulted by a man named  19 T. J. Bunn?  20 A. Yes.  21 Q. And how did you first learn of  22 that?  23 A. I had received a call. It would</p>	<p>1 have probably been around 3:00, 3:00 or  2 3:30 a.m. on the morning that that  3 happened. I guess July the 1st.  4 Q. I think it's probably July  5 the 2nd.  6 A. I'm sorry, it is the 2nd.  7 Q. So at about 3:30 in the morning  8 you said?  9 A. Yes, ma'am.  10 Q. And where were you?  11 A. I was in the bed.  12 Q. And in that initial telephone call  13 what did you learn?  14 A. They usually kept it, you know,  15 short and sweet as far as the call, unless  16 we asked questions. They said that there  17 was a victim at the hospital, gave her  18 name, suspect was not on the scene, and I  19 don't know that they had made contact yet  20 as far as the initial responding officers.  21 I think they were at DCH Hospital  22 with the victim. They just said it was a  23 possible sexual assault and gave the names</p>
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<p>1 of the victim and suspect, and I got  2 dressed and went.  3 Q. Okay. So they did give the names  4 of the victim and the suspect?  5 A. Yes.  6 Q. And when you heard the name  7 T. J. Bunn, did you recognize the name?  8 A. Not specifically. I was, you  9 know, just based on Bunn, I figured it had  10 to do with somebody affiliated with Bunn  11 Construction, S. T. Bunn Construction.  12 Q. Okay. And can you tell me what  13 S. T. Bunn Construction is?  14 A. They basically do asphalt paving,  15 pave roads. I think -- I know you see  16 them a good bit here in Tuscaloosa. My  17 understanding they're all over the state.  18 Q. So the name Bunn is a prominent  19 name in Alabama such that you recognized  20 it when you got a telephone call at 3:30  21 in the morning; right?  22 MR. COCKRELL: Object to the  23 form.</p>	<p>1 Go ahead.  2 A. I recognized the name, just the  3 last name, yes.  4 Q. (By Ms. Bolger) And, in fact, you  5 told your wife at that time that it was a  6 call involving a Bunn?  7 A. I don't remember telling my wife.  8 The way I got most of my callouts was on a  9 Southern LINC radio, and it was a speaker  10 type system, it wasn't a cell phone, so  11 she woke up -- every time that I got  12 called out she woke up, and she may have  13 heard the name over my LINC radio. I  14 don't remember telling her the name.  15 Q. She testified last week that you  16 told her the name. Do you know that?  17 A. I do. I just don't remember  18 telling her the name.  19 Q. Do you think she's wrong?  20 A. I'm not saying she's wrong. I'm  21 just saying I don't remember.  22 Q. And what were you thinking when  23 you heard that there was a Bunn family</p>

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<p>1 member involved?</p> <p>2 A. Nothing in particular. I mean,</p> <p>3 still an alleged crime that we have to</p> <p>4 investigate.</p> <p>5 Q. Okay. And what did you do next?</p> <p>6 A. We responded to DCH and spoke to</p> <p>7 the victim.</p> <p>8 Q. I'm sorry, say that again.</p> <p>9 A. We responded to DCH and spoke with</p> <p>10 the victim.</p> <p>11 Q. What is DCH?</p> <p>12 A. Druid City Hospital. It's the</p> <p>13 only hospital in Tuscaloosa.</p> <p>14 Q. Is that affiliated with the</p> <p>15 university at all?</p> <p>16 A. No, ma'am.</p> <p>17 Q. Is there -- this is just -- I</p> <p>18 don't know the answer to this question.</p> <p>19 Is there a hospital affiliated with the</p> <p>20 University of Alabama?</p> <p>21 A. They have a medical center. It's</p> <p>22 more of like, you know, primary care,</p> <p>23 maternity. I mean, I don't know the exact</p>	<p>1 -- it's not a 24-hour hospital, though.</p> <p>2 Q. Okay. Just -- that was mostly</p> <p>3 pure curiosity.</p> <p>4 A. Okay.</p> <p>5 Q. Okay. So you reported to the</p> <p>6 hospital. When you got the call at 3:30</p> <p>7 in the morning, you heard there was a</p> <p>8 victim and a suspect and what was the</p> <p>9 alleged crime you were told in that</p> <p>10 initial call at 3:30 in the morning?</p> <p>11 A. Sexual assault.</p> <p>12 Q. Did you know when you left your</p> <p>13 house how long -- what the time period was</p> <p>14 between the sexual assault and when you</p> <p>15 received the call?</p> <p>16 A. I don't remember. I can't</p> <p>17 remember when I got the call, so I don't</p> <p>18 remember from the investigation the time</p> <p>19 that the victim said it happened to when I</p> <p>20 got the call. I don't remember that.</p> <p>21 Q. Did you know at the time that</p> <p>22 Investigator Hastings would be working</p> <p>23 with you on the investigation?</p>
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<p>1 A. Yes.</p> <p>2 Q. And why did you know that? Was</p> <p>3 that part of the call or was that just</p> <p>4 knowledge?</p> <p>5 A. Well, that particular day we were</p> <p>6 partners. My regular partner for that day</p> <p>7 had taken off or had a family, you know,</p> <p>8 emergency, something, I don't remember</p> <p>9 exactly why, but Josh basically just</p> <p>10 filled in for him.</p> <p>11 Q. What was the name of your regular</p> <p>12 partner?</p> <p>13 A. Micah Rogers.</p> <p>14 Q. And had you worked as a partner</p> <p>15 with Josh before?</p> <p>16 A. Yes.</p> <p>17 Q. How often?</p> <p>18 A. He was my first partner when I</p> <p>19 came to homicide. I don't know -- I don't</p> <p>20 remember the term or the length of the</p> <p>21 time we worked together. I would say at</p> <p>22 least a year.</p> <p>23 Q. And why did you switch from</p>	<p>1 Mr. Hastings to another partner --</p> <p>2 A. I'm sorry, what was the last part?</p> <p>3 Q. I said Sergeant Hastings.</p> <p>4 A. Micah was a newly assigned</p> <p>5 investigator to the homicide division, and</p> <p>6 I guess, you know, the supervisors felt</p> <p>7 comfortable enough to put me with him to,</p> <p>8 you know, train him on investigations up</p> <p>9 there in Homicide so that's why we split.</p> <p>10 He ended up going to another</p> <p>11 partner. I can't remember who Josh went</p> <p>12 to, but me and Micah started working</p> <p>13 together then.</p> <p>14 Q. In July 2015, were you and</p> <p>15 Investigator Hastings friends?</p> <p>16 A. Yes.</p> <p>17 Q. And in July 2015, were you and</p> <p>18 Investigator Rogers friends?</p> <p>19 A. Yes.</p> <p>20 Q. Did you socialize with</p> <p>21 Investigator Hastings outside of work?</p> <p>22 A. Other than just phone calls. You</p> <p>23 know, we didn't really hang out at each</p>

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<p style="text-align: right;">Page 73</p> <p>1 other's house or anything like that.</p> <p>2 Q. What do you mean by phone calls?</p> <p>3 Did you call to check in on each other</p> <p>4 socially?</p> <p>5 A. Well, it was mainly more just, you</p> <p>6 know, joking around, picking at each</p> <p>7 other. I mean just cutting up. It's</p> <p>8 nothing -- nothing other than that really.</p> <p>9 Q. Okay. And when you got that call</p> <p>10 were you the lead investigator on the case</p> <p>11 right away?</p> <p>12 A. Yes.</p> <p>13 Q. Why?</p> <p>14 A. Well, it was my normal call week</p> <p>15 and it should have been me and Micah on</p> <p>16 call, but since Josh was not -- this was</p> <p>17 not his scheduled call week, I went ahead</p> <p>18 and took the primary investigation over.</p> <p>19 Q. And how does -- how did you go</p> <p>20 about doing that?</p> <p>21 A. Basically, just saying I'm going</p> <p>22 to take this case. You know, it's not</p> <p>23 assigned really by a supervisor to a</p>	<p style="text-align: right;">Page 74</p> <p>1 specific investigator. Usually the team,</p> <p>2 and when I say team, me and whoever I'm</p> <p>3 working with, it's usually two-man teams,</p> <p>4 they just decide between themselves who</p> <p>5 will the primary investigator.</p> <p>6 Q. Okay. So you said you left your</p> <p>7 house at about 3:30 in the morning, or you</p> <p>8 got the call at around 3:30 in the</p> <p>9 morning. Do you know what time you got to</p> <p>10 the hospital?</p> <p>11 A. It would have been after 4:00. I</p> <p>12 can't remember the exact time, but I would</p> <p>13 say between 4:00 and 4:30.</p> <p>14 Q. Do you know what time the sexual</p> <p>15 assault allegedly occurred?</p> <p>16 A. I don't remember.</p> <p>17 Q. I read this file pretty carefully</p> <p>18 and I'll tell you that generally, best</p> <p>19 estimate is, it would have been somewhere</p> <p>20 after one o'clock in the morning. Does</p> <p>21 that refresh your memory at all?</p> <p>22 A. Yes.</p> <p>23 Q. Sounds right to you?</p>
<p style="text-align: right;">Page 75</p> <p>1 A. Yes.</p> <p>2 Q. If you're getting to the hospital</p> <p>3 at 4:30 in the morning, it's only about</p> <p>4 three and a half hours after the alleged</p> <p>5 assault; right?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. What did you do when you</p> <p>8 got to the hospital?</p> <p>9 A. I don't remember if we arrived at</p> <p>10 the same time, but we both ended up going</p> <p>11 into the exam room and trying to get a</p> <p>12 statement from the victim.</p> <p>13 Q. Before you went to the exam room,</p> <p>14 did you talk to the officer who was on the</p> <p>15 scene?</p> <p>16 A. I believe he was in the room also</p> <p>17 when we got there.</p> <p>18 Q. Do you remember his name?</p> <p>19 A. Brad Phillips.</p> <p>20 Q. Did you know Officer Phillips?</p> <p>21 A. Just professionally. I never --</p> <p>22 other than the job, I didn't know him.</p> <p>23 Q. Had you worked with him before?</p>	<p style="text-align: right;">Page 76</p> <p>1 A. No.</p> <p>2 Q. Did you speak to Officer Phillips</p> <p>3 before you spoke to Megan Rondini?</p> <p>4 A. I don't believe so.</p> <p>5 Q. Did you see any notes that he had</p> <p>6 taken?</p> <p>7 A. I don't remember.</p> <p>8 Q. About how long -- did you talk to</p> <p>9 anybody else at the hospital before you</p> <p>10 spoke to Ms. Rondini?</p> <p>11 A. I don't believe so.</p> <p>12 Q. So you think you just spoke -- you</p> <p>13 just walked in and started questioning</p> <p>14 Ms. Rondini?</p> <p>15 A. Yes.</p> <p>16 Q. Where was she at the time?</p> <p>17 A. She was in an exam room.</p> <p>18 Q. And what was she wearing?</p> <p>19 A. I believe it was the clothes that</p> <p>20 she came in wearing. I can't remember</p> <p>21 what it was, but it was street clothes.</p> <p>22 Q. Had she been examined already or</p> <p>23 had that not happened yet?</p>

19 (Pages 73 to 76)



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<p>1 A. That had not happened.</p> <p>2 Q. So she had not been examined yet.</p> <p>3 She had just been -- she just arrived and</p> <p>4 you were questioning her?</p> <p>5 A. Right, the exam had not taken</p> <p>6 place.</p> <p>7 Q. Is that unusual for you to get</p> <p>8 there before the exam, or is that how it</p> <p>9 usually works?</p> <p>10 A. Sometimes we usually get there</p> <p>11 right before the exam starts or sometimes</p> <p>12 the exam has already started, but this</p> <p>13 particular time we got there before the</p> <p>14 exam.</p> <p>15 Q. As the investigating officer, do</p> <p>16 you have the ability to ask the hospital</p> <p>17 to conduct certain tests on alleged</p> <p>18 victims of crimes?</p> <p>19 A. I don't. That's usually between</p> <p>20 the doctor and the patient.</p> <p>21 Q. You can't say, for example, boy,</p> <p>22 you should do a blood test to see if she's</p> <p>23 intoxicated?</p>	<p>1 A. I mean, I guess I could suggest</p> <p>2 it, but that's really not up to me.</p> <p>3 Q. I know it's not up to you, but you</p> <p>4 can suggest it; right?</p> <p>5 A. I could, yes.</p> <p>6 Q. Have you ever done that?</p> <p>7 A. No.</p> <p>8 Q. How long did you talk to Megan?</p> <p>9 A. Probably about ten or 15 minutes.</p> <p>10 Q. What was her demeanor like?</p> <p>11 A. I remember she started crying</p> <p>12 during the interview.</p> <p>13 Q. She started crying during the</p> <p>14 interview?</p> <p>15 A. Yes.</p> <p>16 Q. What made her start to cry?</p> <p>17 A. She was talking about how she</p> <p>18 couldn't get out of her room and that</p> <p>19 started getting her upset. That's what I</p> <p>20 remember.</p> <p>21 She wasn't crying the entire time.</p> <p>22 I was able to get a statement, but in to</p> <p>23 the interview there she did start crying.</p>
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<p>1 Q. Was she disheveled?</p> <p>2 A. I don't remember.</p> <p>3 Q. (Inaudible).</p> <p>4 COURT REPORTER: I'm sorry,</p> <p>5 I couldn't hear that, Kate.</p> <p>6 Q. (By Ms. Bolger) I said what do you</p> <p>7 mean you don't remember? Did she look</p> <p>8 disheveled?</p> <p>9 MR. COCKRELL: Object to the</p> <p>10 form of the question. He said he doesn't</p> <p>11 remember.</p> <p>12 A. I mean, I don't remember, you</p> <p>13 know, how she looked. I don't remember</p> <p>14 how she looked that night.</p> <p>15 Q. (By Ms. Bolger) Do you remember if</p> <p>16 she looked like she was upset?</p> <p>17 A. I mean other than the crying,</p> <p>18 that's what I remember.</p> <p>19 Q. Was her hair neatly combed and her</p> <p>20 clothes neatly put on, or was she not that</p> <p>21 neatly put together?</p> <p>22 A. I don't remember.</p> <p>23 Q. What do you remember about that</p>	<p>1 initial -- that initial interview?</p> <p>2 A. We were just trying to get as much</p> <p>3 information as we could without holding up</p> <p>4 any kind of medical treatment that she may</p> <p>5 need. So, you know, we were trying to,</p> <p>6 you know, get as much, if any, probable</p> <p>7 cause we could get before we made contact</p> <p>8 with the suspect.</p> <p>9 Q. So you were looking for probable</p> <p>10 cause?</p> <p>11 A. As much as we can get.</p> <p>12 Q. Were you involved in the decision</p> <p>13 to designate the investigation as a</p> <p>14 special inquiry?</p> <p>15 A. No.</p> <p>16 Q. Who did?</p> <p>17 A. The officer writing the report I</p> <p>18 assume. It was either the officer that</p> <p>19 wrote the report or a patrol supervisor.</p> <p>20 Q. You recorded that conversation</p> <p>21 with Megan; right?</p> <p>22 A. Yes.</p> <p>23 Q. How did you record that?</p>

20 (Pages 77 to 80)

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<p>1 A. Just an audio recorder, hand held.</p> <p>2 Q. So it's not a wire that you wear?</p> <p>3 It's an actual recording device?</p> <p>4 A. Yes, ma'am.</p> <p>5 Q. Okay. And what does it look like?</p> <p>6 A. It's actually like -- almost</p> <p>7 exactly like the one sitting here right in</p> <p>8 front of me, so I think it was made by</p> <p>9 Olympus. I'm trying to -- I don't know if</p> <p>10 you can --</p> <p>11 Q. Just, of course, I can't see it.</p> <p>12 A. Yeah, I was going to hold it up</p> <p>13 here.</p> <p>14 Q. Okay. So it has a little tape.</p> <p>15 It's one of the little tapes?</p> <p>16 A. It's digital. It's all digital.</p> <p>17 Q. It's digital?</p> <p>18 A. Yes.</p> <p>19 Q. Okay.</p> <p>20 MS. BOLGER: J. T., can you</p> <p>21 hand Investigator Jones -- hold on, AQ,</p> <p>22 that's the one I emailed you last night.</p> <p>23 Just for the record, while</p>	<p>1 J. T. looks for that, I will represent to</p> <p>2 you, and Bob knows this, that we were</p> <p>3 handed the files from the wrongful death</p> <p>4 suit and also from the Tuscaloosa</p> <p>5 Sheriff's Office, so we have the recording</p> <p>6 of your interview with Ms. Rondini and we</p> <p>7 had it transcribed and what we're about to</p> <p>8 show you is a transcription with the</p> <p>9 certification on the top.</p> <p>10 MR. THOMPSON: Kate, this</p> <p>11 version does not have -- that we copied</p> <p>12 before, does not have a certification</p> <p>13 attached to it. Are you saying what you</p> <p>14 sent me this morning though does have the</p> <p>15 cert?</p> <p>16 MS. BOLGER: Yeah.</p> <p>17 Kathleen, who is on, will just shoot you a</p> <p>18 quick email.</p> <p>19 Bob and Scotch, would it be</p> <p>20 okay with you -- we did get it certified</p> <p>21 to make sure you knew it was authentic.</p> <p>22 We're just having a COVID-related document</p> <p>23 problem. Can I go ahead and question the</p>
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<p>1 witness about the transcript and then</p> <p>2 we'll get you the certification? You guys</p> <p>3 probably know me well enough to know that</p> <p>4 I'm not deceiving you.</p> <p>5 MR. COCKRELL: No, you know,</p> <p>6 we can always compare, so not a problem.</p> <p>7 Go ahead.</p> <p>8 MS. BOLGER: Okay, great.</p> <p>9 Just hand him the AQ you have, J. T.</p> <p>10 (Off the record.)</p> <p>11 (Whereupon, a document was marked</p> <p>12 as Defendant's Exhibit No. 28 and</p> <p>13 is attached to the original</p> <p>14 transcript.)</p> <p>15 Q. You're welcome to read the whole</p> <p>16 document, Investigator Jones, but I'm</p> <p>17 going to ask you specific questions about</p> <p>18 it.</p> <p>19 MR. COCKRELL: Probably go</p> <p>20 ahead and take your time to read it.</p> <p>21 A. Okay.</p> <p>22 Q. (By Ms. Bolger) Okay. Does this</p> <p>23 refresh your memory about what the nature</p>	<p>1 of your conversation was with Ms. Rondini</p> <p>2 on the morning of the alleged assault?</p> <p>3 A. Yes.</p> <p>4 Q. And this is consistent with your</p> <p>5 memory?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. And I want to ask you to</p> <p>8 take a look at the first page, so the last</p> <p>9 full graph on the page starts, and Sweet T</p> <p>10 took us to his house.</p> <p>11 A. Okay.</p> <p>12 Q. At this point in the investigation</p> <p>13 the only name Megan knew for Mr. Bunn was</p> <p>14 Sweet T; correct?</p> <p>15 A. Yes.</p> <p>16 Q. It was actually the police that</p> <p>17 told her that his name was Bunn; right?</p> <p>18 MR. COCKRELL: Object to the</p> <p>19 form.</p> <p>20 A. I don't know who told her that.</p> <p>21 It wasn't us. But, I mean, I don't know</p> <p>22 if it was an officer or not.</p> <p>23 Q. (By Ms. Bolger) But she didn't</p>

21 (Pages 81 to 84)



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<p>1 know until after she --</p> <p>2 A. That's what she said.</p> <p>3 Q. I'm sorry.</p> <p>4 A. Yes, she said she didn't know his</p> <p>5 name, yes.</p> <p>6 Q. Okay. How did you-all know his</p> <p>7 name because remember you told me at 3:30</p> <p>8 in the morning you got a call with his</p> <p>9 name, so she didn't know his name. How</p> <p>10 did you know his name?</p> <p>11 A. When they told me on the LINC or</p> <p>12 the Southern LINC they gave me the call,</p> <p>13 they gave me the names.</p> <p>14 Q. But how did the police department</p> <p>15 know his name, if Megan did not?</p> <p>16 A. I don't know.</p> <p>17 Q. Okay. You'll see that the -- if</p> <p>18 you go one, two, three, four, five or so</p> <p>19 sentences in, the fourth line down says, I</p> <p>20 just went and sat on a couch in his room.</p> <p>21 Do you see that?</p> <p>22 A. Yes, ma'am.</p> <p>23 Q. It says, "I just went and sat on</p>	<p>1 the couch in his room and ten or 15</p> <p>2 minutes later he comes up to his room and</p> <p>3 he just wants to have sex, and I was like</p> <p>4 I really need to go. I have friends that</p> <p>5 are waiting for me. I have friends at</p> <p>6 Innisfree, and I really just need to go.</p> <p>7 And he just didn't really take that. And</p> <p>8 I really just felt like just letting him</p> <p>9 have sex with me was the only way that he</p> <p>10 would let me go." Do you see that?</p> <p>11 A. Yes.</p> <p>12 Q. If you look at the next page.</p> <p>13 Ms. Rondini repeatedly told you that she</p> <p>14 didn't know how she got to Sweet T's</p> <p>15 house; correct?</p> <p>16 A. Yes.</p> <p>17 Q. If you look in the -- kind of the</p> <p>18 third full graph it starts out, I'm not</p> <p>19 really sure. Do you see that?</p> <p>20 A. On the second page?</p> <p>21 Q. Yes. It's one, two, three, it</p> <p>22 starts I'm not really sure of the in</p> <p>23 between -- the third full paragraph.</p>
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<p>1 A. I see it. I see it.</p> <p>2 Q. So she said to you, "I'm not</p> <p>3 really sure the in between of that</p> <p>4 happening. I wasn't drinking heavily. I</p> <p>5 wasn't intoxicated, so I just don't know</p> <p>6 the bridge of where that happened."</p> <p>7 She's referencing how she got to</p> <p>8 Sweet T's -- into Sweet T's car; right?</p> <p>9 A. Yes.</p> <p>10 Q. Did that at any point make you</p> <p>11 think that maybe she had been drugged?</p> <p>12 A. No.</p> <p>13 Q. Why did her lapse of memory -- you</p> <p>14 don't ask any follow-up questions on her</p> <p>15 lapse of memory. Why not?</p> <p>16 A. Well, she said that she had been</p> <p>17 drinking alcohol, and I think she made the</p> <p>18 statement -- this was -- no, it was in the</p> <p>19 other interview. Just the way, you know,</p> <p>20 based on this and remembering how she was</p> <p>21 talking I don't -- I didn't feel like she</p> <p>22 was on any kind of drugs or anything.</p> <p>23 Q. It didn't seem odd to you that she</p>	<p>1 couldn't remember how she got in the car?</p> <p>2 A. Well, not, you know, just based on</p> <p>3 experience of when you're dealing with,</p> <p>4 you know, people that's been drinking</p> <p>5 alcohol, sometimes that does cause memory</p> <p>6 lapses and loss, so.</p> <p>7 Q. Okay. Nothing in this made you</p> <p>8 think you should get any kind of</p> <p>9 toxicology results done while you were</p> <p>10 there -- while she was there in the</p> <p>11 hospital?</p> <p>12 A. Well, there again, it wasn't up to</p> <p>13 me. I mean, if she felt like she had been</p> <p>14 drugged, she could convey that to the</p> <p>15 doctor and then they could decide that.</p> <p>16 Q. Well, do people always know when</p> <p>17 they've been drugged?</p> <p>18 MR. COCKRELL: Object to the</p> <p>19 form.</p> <p>20 A. I can't really say how, you know,</p> <p>21 if they know they've been drugged or not.</p> <p>22 You know, I think it's up to each</p> <p>23 individual person.</p>

22 (Pages 85 to 88)

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<p>1 Q. (By Ms. Bolger) Well, as an 2 investigator investigating a crime, isn't 3 it your job to figure out whether 4 someone's been drugged? 5 A. If drugs were used, yes. 6 Q. Well, what if someone has large 7 lapses of memory, as the investigator 8 investigating a crime, isn't it your job 9 to figure out why they have large lapses 10 of memory? 11 A. Well, you know, just she never 12 mentioned anything about drugs. She did 13 mention about alcohol and I just didn't -- 14 Q. Well, you can have alcohol 15 consumption in a toxicology screen, too, 16 can't you? 17 A. I'm sorry? 18 Q. Well, you use a toxicology screen 19 to find out about alcohol consumption too; 20 right? 21 A. I'm not sure. I'm sure it does 22 register that but it's through urine. 23 Q. Nothing in the fact that she was</p>	<p>1 experiencing a significant lapse of memory 2 related to an alleged assault made you 3 think that she may have been drugged or 4 had too much to drink? 5 A. At the time I didn't think that. 6 Q. You couldn't have suggested the 7 test? 8 A. I mean, I guess I could have, but, 9 you know, I didn't. 10 Q. If you go down to the fourth graph 11 from the end, it starts the only reason I 12 know what. Do you see that? 13 A. Yes. 14 Q. It says, "The only reason I know 15 what -- honestly I only know that Sweet 16 T's name is Sweet T, y'all keep calling 17 him T. J., and the only reason I knew that 18 is because in the dish with all of his 19 keys he has koozies, and it was Bunn," so 20 this is the first time she's heard that 21 he's T. J. Bunn; right? 22 MR. COCKRELL: Object to the 23 form.</p>
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<p>1 A. And it could have been, you know, 2 the officer that was taking the report, 3 you know, if he had that information, he 4 could have conveyed that to her. I don't 5 know. 6 Q. (By Ms. Bolger) Then you ask 7 again, do you remember how to get to his 8 house and she says no, not at all. 9 Do you see that? 10 A. Uh-huh (affirmative). Yes, ma'am. 11 Q. Again, she's signaling a memory 12 lapse to you again; right? 13 A. Yes. 14 Q. And you don't ask a follow-up 15 question about that; right? 16 A. Yeah, I don't ask a question 17 there, no. 18 Q. Then your next question to her is 19 when you got to her house, did he ever lay 20 hands on you. He didn't force you into 21 the bedroom. He told you -- and then she 22 says, he told me to go up there, and I did 23 it just because I didn't know what else to</p>	<p>1 do. And then once I got up there, I did 2 not want to have sex with him. And he 3 didn't hit me -- he didn't shove me, but 4 he held me down and we -- and then you 5 interrupt and say, where were his hands, 6 on your shoulders or -- and she responds 7 just kind of on my hips and on the top 8 half of my body. Do you see that? 9 A. Uh-huh (affirmative), yes, ma'am. 10 Q. So she told you he held her down; 11 right? 12 A. Yes. 13 Q. And then a couple of lines down 14 you say to her, he didn't ever took your 15 phone from you and keep you from calling, 16 and she responds he did. Do you see that? 17 A. Uh-huh (affirmative), yes. 18 Q. Why is that -- why is the fact 19 that she -- so after this interview, this 20 case gets designated as special inquiry, 21 right, because someone decides there's not 22 enough elements here to meet the crime of 23 sexual assault; correct?</p>

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<p>1 A. Yes.</p> <p>2 Q. What is lacking in this interview</p> <p>3 to establish that she is alleging the</p> <p>4 crime of sexual assault?</p> <p>5 A. She said that she let him have sex</p> <p>6 with her.</p> <p>7 Q. Well, she says she didn't -- she</p> <p>8 wanted -- she told him she wanted to go;</p> <p>9 right?</p> <p>10 A. Well, she said she needed to go to</p> <p>11 her friends that were at Innisfree.</p> <p>12 Q. Okay. He holds her down; right?</p> <p>13 A. That's what she said.</p> <p>14 Q. According to her story, he held</p> <p>15 her down --</p> <p>16 A. Yes.</p> <p>17 Q. -- right, by the hips; right? And</p> <p>18 he takes her phone; right?</p> <p>19 A. Yes.</p> <p>20 Q. She told you all of that; right?</p> <p>21 A. Yes.</p> <p>22 Q. To top it all off, she can't</p> <p>23 remember anything about how she gets to</p>	<p>1 this guy's house; right?</p> <p>2 A. Yes.</p> <p>3 Q. And she doesn't even know his</p> <p>4 name; right?</p> <p>5 A. Right.</p> <p>6 Q. What else did she need to tell you</p> <p>7 to have you-all investigate this as a</p> <p>8 sexual assault?</p> <p>9 A. Just based on state law, it didn't</p> <p>10 meet the elements of rape at that point.</p> <p>11 Q. What element did it not meet?</p> <p>12 A. Earnest resistance.</p> <p>13 Q. She got held down.</p> <p>14 A. She said she let him have sex with</p> <p>15 her.</p> <p>16 Q. It says, he didn't shove me but he</p> <p>17 held me down. Why isn't being held down</p> <p>18 and being forced to have sex against her</p> <p>19 will not meeting elements of the crime of</p> <p>20 sexual assault?</p> <p>21 MR. COCKRELL: Object to the</p> <p>22 form.</p> <p>23 A. By her letting him have sex with</p>
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<p>1 her, and she's saying that he held her by</p> <p>2 the hips, you know, at that point just</p> <p>3 that alone that does not meet the elements</p> <p>4 of rape.</p> <p>5 Q. (By Ms. Bolger) You're telling me</p> <p>6 that in Alabama in July of 2015, you could</p> <p>7 tell someone you didn't want to have sex</p> <p>8 with them and be held down by the hips and</p> <p>9 it didn't meet the -- after they take your</p> <p>10 phone in a house where you don't know how</p> <p>11 you got there, and it doesn't meet the</p> <p>12 elements of rape?</p> <p>13 MR. COCKRELL: Object to the</p> <p>14 form.</p> <p>15 A. She just -- she said in her</p> <p>16 statement she let him have sex with her.</p> <p>17 Holding her by the hips kind of, just kind</p> <p>18 of on my hips and the top half of my body,</p> <p>19 you know --</p> <p>20 Q. (By Ms. Bolger) -- right, to the</p> <p>21 bed. In Alabama you're telling me in July</p> <p>22 of 2015, you can hold a women down to the</p> <p>23 bed but because she doesn't say the right</p>	<p>1 magic words, it isn't a sexual assault?</p> <p>2 MR. COCKRELL: Object to the</p> <p>3 form.</p> <p>4 A. I didn't -- I'm just saying it</p> <p>5 didn't meet the elements of rape at this</p> <p>6 point.</p> <p>7 Q. (By Ms. Bolger) What element</p> <p>8 didn't it meet at this point?</p> <p>9 A. Earnest resistance.</p> <p>10 Q. What did she have to say at this</p> <p>11 point, two hours -- or four hours after</p> <p>12 she's been sexually assaulted in a</p> <p>13 hospital, what else did she need to say to</p> <p>14 you to make you think that she earnestly</p> <p>15 resisted Bunn?</p> <p>16 A. Well, it was, you know, what she</p> <p>17 did say. She let him have sex with her.</p> <p>18 Q. That's it? A woman says I let him</p> <p>19 have sex with me that can't be sexual</p> <p>20 assault in your mind?</p> <p>21 MR. COCKRELL: Object to the</p> <p>22 form.</p> <p>23 A. I'm just saying based on the law</p>

24 (Pages 93 to 96)

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<p>1 that we have to go by, that did not meet</p> <p>2 the element of rape.</p> <p>3 Q. Okay. So you met her for you said</p> <p>4 ten minutes, this was a ten-minute</p> <p>5 interview at five o'clock in the morning</p> <p>6 in a hospital, and you determined that</p> <p>7 based on one sentence in her report,</p> <p>8 ignoring everything else she said, because</p> <p>9 she said she let him do it, you didn't</p> <p>10 have a basis to think that this guy</p> <p>11 sexually assaulted her; is that what</p> <p>12 you're saying?</p> <p>13 MR. COCKRELL: Object to the</p> <p>14 form.</p> <p>15 A. I'm saying that this is initial</p> <p>16 interview, that we are trying to get as</p> <p>17 much information as we can, and up and to</p> <p>18 this point, there is not enough to meet</p> <p>19 the elements of rape.</p> <p>20 Q. (By Ms. Bolger) Did you ask her a</p> <p>21 question in this interview about what she</p> <p>22 meant by he held her down by the hips and</p> <p>23 the top half of her body?</p>	<p>1 A. No.</p> <p>2 Q. Did you ask her a question as a</p> <p>3 follow-up to why the fact that she took --</p> <p>4 he took her phone to keep her from calling</p> <p>5 people?</p> <p>6 A. No.</p> <p>7 Q. Did Megan Rondini ever say that</p> <p>8 Bunn sexually assaulted her?</p> <p>9 A. No.</p> <p>10 Q. What was she telling you then?</p> <p>11 What did you think she was reporting --</p> <p>12 MR. COCKRELL: Whoa, whoa,</p> <p>13 whoa, ask one question at a time. I don't</p> <p>14 know what the last question was.</p> <p>15 Q. (By Ms. Bolger) What was she</p> <p>16 reporting to you?</p> <p>17 A. She was reporting that she let him</p> <p>18 have sex with her, and he held her by the</p> <p>19 hips and she couldn't get out of his room.</p> <p>20 Q. Is it your testimony that Megan</p> <p>21 Rondini didn't think she was sexually</p> <p>22 assaulted?</p> <p>23 A. I'm not saying what her mind frame</p>
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<p>1 was. I'm just saying as far as what she's</p> <p>2 told us up and to this point, it did not</p> <p>3 meet the elements of rape.</p> <p>4 Q. That's not what I asked you. I</p> <p>5 asked you did Megan Rondini ever say that</p> <p>6 Bunn sexually assaulted her?</p> <p>7 MR. COCKRELL: He already</p> <p>8 answered that. That's the second time</p> <p>9 you've asked that and he answered that.</p> <p>10 A. She did not say that he sexually</p> <p>11 assaulted her.</p> <p>12 Q. (By Ms. Bolger) Did she need to</p> <p>13 say the magic words, sexually assaulted,</p> <p>14 for you to consider it a sexual assault</p> <p>15 investigation?</p> <p>16 MR. COCKRELL: Object to the</p> <p>17 form.</p> <p>18 A. No.</p> <p>19 Q. (By Ms. Bolger) She has gone to</p> <p>20 the hospital. She is about to undergo a</p> <p>21 rape investigation. She's called the</p> <p>22 police. Did you guys think she was just</p> <p>23 there for a picnic?</p>	<p>1 MR. COCKRELL: Object to the</p> <p>2 form.</p> <p>3 I'm just not even going to</p> <p>4 -- I instruct you not to answer that</p> <p>5 question. Go ahead and answer. Do you</p> <p>6 think she was there for a picnic?</p> <p>7 A. No.</p> <p>8 Q. (By Ms. Bolger) She thought she</p> <p>9 was sexually assaulted; right?</p> <p>10 A. She didn't say that.</p> <p>11 Q. Well, she said she was held down.</p> <p>12 She said she was taken to a house she</p> <p>13 didn't know where it was. She said</p> <p>14 someone took her phone and she wanted to</p> <p>15 go.</p> <p>16 MR. COCKRELL: Object to the</p> <p>17 form.</p> <p>18 Q. (By Ms. Bolger) Of course, she was</p> <p>19 saying she was sexually assaulted. What</p> <p>20 is your basis for saying she wasn't saying</p> <p>21 she was sexually assaulted?</p> <p>22 MR. COCKRELL: Object to --</p> <p>23 object to the form. He can't read</p>

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<p style="text-align: right;">Page 101</p> <p>1 somebody's mind. He's a police officer.</p> <p>2 Q. (By Ms. Bolger) Now that your</p> <p>3 counsel has told you how to answer the</p> <p>4 question, Investigator Jones, you may.</p> <p>5 MS. BOLGER: Bob, you know</p> <p>6 you can't tell the witness what to say --</p> <p>7 MR. COCKRELL: Well, you're</p> <p>8 asking questions like he can read her</p> <p>9 mind.</p> <p>10 Q. (By Ms. Bolger) -- Investigator</p> <p>11 Jones, why don't you answer my question</p> <p>12 please?</p> <p>13 A. I don't know what she's thinking.</p> <p>14 You know, with her coming out saying I let</p> <p>15 him have sex with me and he held me by the</p> <p>16 hips, you know.</p> <p>17 Q. Held me down by the hips. Held me</p> <p>18 down by the hips.</p> <p>19 MR. COCKRELL: Object to the</p> <p>20 form. Not sure it's a question.</p> <p>21 Q. (By Ms. Bolger) Did she say</p> <p>22 anything at the hospital that led you to</p> <p>23 believe that the sex she had with Mr. Bunn</p>	<p style="text-align: right;">Page 102</p> <p>1 was anything other than consensual?</p> <p>2 A. She didn't say that -- she didn't</p> <p>3 say anything to lead me that it wasn't.</p> <p>4 Q. Okay. So saying that she told him</p> <p>5 she wanted to go home, that she was held</p> <p>6 down by the hips and the top of her body,</p> <p>7 that he had taken her phone and she didn't</p> <p>8 know where she was, none of those four</p> <p>9 character -- none of those four statements</p> <p>10 lead you to believe that the sex she had</p> <p>11 with T. J. Bunn was not consensual?</p> <p>12 MR. COCKRELL: Object to the</p> <p>13 form.</p> <p>14 You can answer.</p> <p>15 A. Not based on her statement.</p> <p>16 Q. (By Ms. Bolger) Why is being held</p> <p>17 down by the hips when someone is having</p> <p>18 sex with you after you told them not to</p> <p>19 go, not an indication that it was not</p> <p>20 consensual sex?</p> <p>21 MR. COCKRELL: Object to the</p> <p>22 form.</p> <p>23 Go ahead.</p>
<p style="text-align: right;">Page 103</p> <p>1 A. You know, I can't say how, you</p> <p>2 know, if it was one of those things that</p> <p>3 she changed her mind -- I'm not going to</p> <p>4 speculate.</p> <p>5 I'm not going to speculate on</p> <p>6 that. I've got to go with what exactly</p> <p>7 she told me and when she says that she let</p> <p>8 him have sex with her, whether he had his</p> <p>9 hands on her hips at that point, she's</p> <p>10 letting him do the act in her words.</p> <p>11 Q. (By Ms. Bolger) And that's it?</p> <p>12 That's the only words you read in this</p> <p>13 entire interview, the only words that mean</p> <p>14 anything to you are she let him do it?</p> <p>15 Every other factor that I just talked</p> <p>16 about, you just ignore when she says those</p> <p>17 magic words?</p> <p>18 MR. COCKRELL: Object to the</p> <p>19 form.</p> <p>20 A. You have to look at the totality</p> <p>21 of the circumstances.</p> <p>22 Q. (By Ms. Bolger) Apparently you</p> <p>23 don't think you do. Apparently you think</p>	<p style="text-align: right;">Page 104</p> <p>1 if someone says I let him have sex with</p> <p>2 me, it's the end of the inquiry; isn't</p> <p>3 that what you're telling me?</p> <p>4 MR. COCKRELL: Object to the</p> <p>5 form. You know, we're here to answer</p> <p>6 questions. You ask him non-leading</p> <p>7 questions and he'll answer it, okay?</p> <p>8 Q. (By Ms. Bolger) You can answer the</p> <p>9 question I asked you.</p> <p>10 MR. COCKRELL: If you know</p> <p>11 what she asked you, you can answer.</p> <p>12 A. Can you ask it again?</p> <p>13 Q. (By Ms. Bolger) Sure. What I said</p> <p>14 was is it your seriously your testimony as</p> <p>15 you sit here that just because she said he</p> <p>16 let him have sex with her, you were</p> <p>17 entitled to ignore everything else she</p> <p>18 said, including that she was held down,</p> <p>19 including that she was taken to a place</p> <p>20 she didn't know where it was, including</p> <p>21 that he took her phone, including that she</p> <p>22 told him she wanted to let you go, you</p> <p>23 could ignore all of that and just focus on</p>

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<p>1 fact that she said he let her do? You're</p> <p>2 saying that's okay?</p> <p>3 MR. COCKRELL: Object to the</p> <p>4 form.</p> <p>5 A. I'm just saying that based on the</p> <p>6 Alabama law, that that is not enough to</p> <p>7 meet the elements of rape.</p> <p>8 Q. (By Ms. Bolger) After this</p> <p>9 interview did you feel you had probable</p> <p>10 cause to arrest T. J. Bunn?</p> <p>11 A. No.</p> <p>12 Q. Why not?</p> <p>13 A. Just based on the statement, you</p> <p>14 know. Yes, we need to talk to him but</p> <p>15 based on the statement no, we did not have</p> <p>16 probable cause.</p> <p>17 Q. So you know this man took this</p> <p>18 woman to an isolated house that she</p> <p>19 doesn't know where she is, she can't</p> <p>20 remember anything about how she got there,</p> <p>21 she doesn't know his name, she says she</p> <p>22 wants to go, he holds her down by the</p> <p>23 hips, he takes her phone and you think</p>	<p>1 you've got no probable cause to arrest</p> <p>2 T. J. Bunn; right?</p> <p>3 MR. COCKRELL: Object to the</p> <p>4 form.</p> <p>5 A. Right, I don't have probable cause</p> <p>6 at that point.</p> <p>7 Q. (By Ms. Bolger) Do you have</p> <p>8 probable cause for any kind of search</p> <p>9 warrant?</p> <p>10 A. I didn't think we did, no.</p> <p>11 Q. Why not? What did you need?</p> <p>12 A. We need the elements of rape.</p> <p>13 Q. What did you need her to say to</p> <p>14 get a search warrant?</p> <p>15 A. Like I said, she needed to meet</p> <p>16 the elements of the rape statute.</p> <p>17 Q. I'm asking you what words you</p> <p>18 needed her to say to meet the elements</p> <p>19 of the rape statute?</p> <p>20 A. That -- well, just for example,</p> <p>21 you know, she didn't let him have sex with</p> <p>22 her, that she actually told him no, I</p> <p>23 don't want to have sex.</p>
Page 107	Page 108
<p>1 Q. As an investigator in the Homicide</p> <p>2 Unit in Tuscaloosa, is it the case that</p> <p>3 you always take what everybody says when</p> <p>4 they're a witness and they're coming to</p> <p>5 you and you take it as gospel truth, you</p> <p>6 never question it?</p> <p>7 MR. COCKRELL: Object to the</p> <p>8 form.</p> <p>9 A. You're always, you know, not</p> <p>10 skeptical, but you believe as much as you</p> <p>11 can, I guess you could say it that way.</p> <p>12 Q. (By Ms. Bolger) Right. So when</p> <p>13 Megan Rondini told you she let him have</p> <p>14 sex with her and then said a whole bunch</p> <p>15 of other stuff, wasn't it your job as an</p> <p>16 investigator trying to reconcile those</p> <p>17 statements?</p> <p>18 I mean, are you really letting</p> <p>19 someone have sex with you if they're</p> <p>20 holding you down? Wasn't it your job as</p> <p>21 an investigator to get to the bottom of</p> <p>22 what happened here?</p> <p>23 MR. COCKRELL: Object to the</p>	<p>1 form.</p> <p>2 A. Yes, it's my job to investigate</p> <p>3 the crime.</p> <p>4 Q. (By Ms. Bolger) Okay. But you</p> <p>5 were content to just not say there was any</p> <p>6 probable cause here because one time she</p> <p>7 said she let him have sex with her; right?</p> <p>8 A. The investigation did not end</p> <p>9 there. We still followed up with the</p> <p>10 investigation.</p> <p>11 Q. But there was no arrest warrant;</p> <p>12 right?</p> <p>13 A. No.</p> <p>14 Q. And there was no search warrant;</p> <p>15 right?</p> <p>16 A. No.</p> <p>17 Q. Do you know what a pretext phone</p> <p>18 call is?</p> <p>19 A. No.</p> <p>20 Q. Before you left the hospital had</p> <p>21 you reached any conclusions, or I guess</p> <p>22 you had reached conclusions about Megan</p> <p>23 Rondini's allegations; right?</p>

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<p>1 You had reached the conclusion</p> <p>2 that she didn't meet the elements of</p> <p>3 sexual assault; right?</p> <p>4 A. Up to that point.</p> <p>5 Q. And you reached the conclusion</p> <p>6 that she said nothing other than that the</p> <p>7 sex was consensual; right?</p> <p>8 MR. COCKRELL: I missed that</p> <p>9 last question. Can you slow it down a</p> <p>10 little bit?</p> <p>11 Q. (By Ms. Bolger) You had reached</p> <p>12 the conclusion that she had said nothing</p> <p>13 other than that the sex was consensual;</p> <p>14 right?</p> <p>15 MR. COCKRELL: Object to the</p> <p>16 form.</p> <p>17 A. Yes, she didn't -- she didn't say</p> <p>18 it was other than consensual.</p> <p>19 Q. (By Ms. Bolger) After your</p> <p>20 interview with Ms. Rondini, what happened</p> <p>21 next in the investigation?</p> <p>22 A. We drove out to the Bunn residence</p> <p>23 in Cottdale.</p>	<p>1 Q. Who is we?</p> <p>2 A. Josh Hastings and I.</p> <p>3 Q. Did you drive in the same car?</p> <p>4 A. No.</p> <p>5 Q. You drove separately?</p> <p>6 A. Yes.</p> <p>7 Q. Why is that?</p> <p>8 A. It's just standard on the calls</p> <p>9 that, you know, we may get pulled in</p> <p>10 different directions, you know, whatever</p> <p>11 call we may be on, so we just always drive</p> <p>12 separately.</p> <p>13 Q. Okay. Did you talk before you</p> <p>14 went to Bunn's house?</p> <p>15 A. I don't remember.</p> <p>16 Q. Did you talk to Captain Hart or</p> <p>17 Captain Hood before you went to Bunn's</p> <p>18 house? Actually let my strike that</p> <p>19 question, and I'll do it differently.</p> <p>20 Had you spoken to Captain Hood</p> <p>21 that morning?</p> <p>22 A. At that point, no.</p> <p>23 Q. Had you spoken to Captain Hart</p>
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<p>1 that morning?</p> <p>2 A. No.</p> <p>3 Q. Had you spoken to Hastings that</p> <p>4 morning before -- other than in</p> <p>5 interviewing Ms. Rondini, had you spoken</p> <p>6 to Investigator Hastings, just the two of</p> <p>7 you?</p> <p>8 A. I don't remember.</p> <p>9 Q. About the case obviously.</p> <p>10 A. I'm sorry, that last part broke --</p> <p>11 Q. I said about the case obviously.</p> <p>12 I mean had you spoken about this matter.</p> <p>13 A. I don't remember that.</p> <p>14 Q. So after you interviewed with</p> <p>15 Ms. Rondini, did you share your</p> <p>16 impressions of the interview with</p> <p>17 Mr. Hastings, Investigator Hastings?</p> <p>18 A. I don't remember.</p> <p>19 Q. Did he say anything to you about</p> <p>20 the interview with Ms. Rondini?</p> <p>21 A. I don't remember that.</p> <p>22 Q. How long is the drive from DCH to</p> <p>23 Cottdale?</p>	<p>1 A. To his house was probably about</p> <p>2 eight miles, eight to ten miles I would</p> <p>3 say.</p> <p>4 Q. And about how long time-wise does</p> <p>5 that take?</p> <p>6 A. 20 minutes.</p> <p>7 Q. What time did you get there?</p> <p>8 A. I can't remember.</p> <p>9 Q. I will tell you that from what I</p> <p>10 can piece together, it appears you got</p> <p>11 there around 6:20 in morning. Does that</p> <p>12 sound right to you?</p> <p>13 A. Seems like I do remember the sun</p> <p>14 coming up, so that's probably right.</p> <p>15 Close.</p> <p>16 Q. And who got there first, you or</p> <p>17 Investigator Hastings?</p> <p>18 A. I think we pulled up relatively</p> <p>19 the same time.</p> <p>20 Q. And when you got out of the cars,</p> <p>21 what did you guys do next?</p> <p>22 A. We went to the front door.</p> <p>23 Q. Did you go together?</p>

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<p>1 A. Yes.</p> <p>2 Q. Both of you went to the front door</p> <p>3 together?</p> <p>4 A. Yes.</p> <p>5 Q. And had you talked about what you</p> <p>6 were going to ask Mr. Bunn or what the</p> <p>7 next step was going to be?</p> <p>8 A. We didn't have -- to my knowledge,</p> <p>9 we didn't have a conversation about what</p> <p>10 we were going to ask him. I believe Josh</p> <p>11 walked to the door first, so he did -- he</p> <p>12 talked to him at that point. I don't -- I</p> <p>13 don't ever remember even speaking with</p> <p>14 him.</p> <p>15 Q. Okay. So what happened -- did you</p> <p>16 knock on the door or ring the doorbell?</p> <p>17 A. I don't remember.</p> <p>18 Q. But at some point Mr. Bunn came to</p> <p>19 the door?</p> <p>20 A. Yes.</p> <p>21 Q. Did it take a while?</p> <p>22 A. Seems like it did.</p> <p>23 Q. And were both of you waiting</p>	<p>1 outside the house?</p> <p>2 A. Yes.</p> <p>3 Q. And you both waited until Mr. Bunn</p> <p>4 came to the door?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. And what happened next?</p> <p>7 A. I don't remember the general</p> <p>8 statements that were made. I think Josh</p> <p>9 just basically laid it out there why we</p> <p>10 were there and asked if he had taken a</p> <p>11 female home that night and he said no.</p> <p>12 I believe he may have asked him --</p> <p>13 Josh in at that point, and then I started</p> <p>14 to walk around the outside of the</p> <p>15 residence.</p> <p>16 Q. Okay. So when you said</p> <p>17 Investigator Hastings laid out why we were</p> <p>18 there, what did he say?</p> <p>19 A. Like I say, I don't remember</p> <p>20 general statements, but I believe he was</p> <p>21 just asking if he remembered taking a</p> <p>22 female home that night and where he had</p> <p>23 been, just, you know, general statements</p>
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<p>1 or general questions, I should say, at</p> <p>2 that point.</p> <p>3 Q. Did he tell Mr. Bunn in words or</p> <p>4 substance that you-all were investigating</p> <p>5 a sexual assault?</p> <p>6 A. I don't remember that part of it,</p> <p>7 because like I say, I had started walking</p> <p>8 on the outside of the house and I know he</p> <p>9 hadn't started an interview yet, so it's</p> <p>10 not recorded or anything like to this</p> <p>11 point, but they were in a conversation and</p> <p>12 I started walking on the outside of the</p> <p>13 house, just the perimeter of the</p> <p>14 residence.</p> <p>15 Q. Were you there when Mr. Bunn lied</p> <p>16 to you-all about the fact that he had</p> <p>17 taken a woman home the night before?</p> <p>18 A. I don't remember that. I was</p> <p>19 probably walking around the perimeter of</p> <p>20 the house.</p> <p>21 Q. You know that Mr. Bunn did lie to</p> <p>22 Investigator Hastings; correct?</p> <p>23 A. I do know that, yes.</p>	<p>1 Q. And does that make -- did that</p> <p>2 make you-all suspicious of Mr. Bunn at</p> <p>3 all?</p> <p>4 A. Well, I mean, suspects, you know</p> <p>5 -- well, people in general lie to the</p> <p>6 police every day, so, you know, it's part</p> <p>7 of the investigation, you know, that we</p> <p>8 can use, but it doesn't mean, you know, we</p> <p>9 can put him in handcuffs at that point,</p> <p>10 no.</p> <p>11 Q. That's not what I asked you. I</p> <p>12 asked you if it made you suspicious?</p> <p>13 A. I mean, I guess it would, but like</p> <p>14 I say, you know, people lie to the police</p> <p>15 every day, so I guess you get used to it.</p> <p>16 Q. So would you be more suspicious of</p> <p>17 someone who lies to you or less suspicious</p> <p>18 of someone who lies to you?</p> <p>19 A. More suspicious.</p> <p>20 Q. So did anyone ask any follow-up</p> <p>21 questions of him, like why are you lying</p> <p>22 to us?</p> <p>23 A. I don't remember that.</p>

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<p>1 Q. You don't remember that happening; 2 right? 3 A. Yeah, I don't remember that 4 happening. 5 Q. Because it didn't happen; right? 6 MR. COCKRELL: Object to the 7 form. 8 A. I'm just saying that I was walking 9 on the perimeter of the house. I don't 10 remember that at all. 11 Q. (By Ms. Bolger) So as you sit here 12 you don't know if that ever happened? 13 A. I don't. 14 Q. In fact, it didn't happen, did it? 15 MR. COCKRELL: Object to the 16 form. 17 A. I don't know. 18 Q. (By Ms. Bolger) So you went around 19 to walk the perimeter of the house. Why 20 did you want to walk the perimeter of the 21 house? 22 A. When she was telling us about how 23 she went out a window, you know, I wanted</p>	<p>1 to see if I could locate where she 2 described going out the window, and I 3 believe there was a cooler and a trash can 4 that she had stacked up. I wanted to see 5 if I could locate that. 6 Q. Okay. And were you able to do 7 that? 8 A. Yes. 9 Q. And where was it? 10 A. It was on the backside of the 11 residence. 12 Q. And then did something happen with 13 that window? 14 A. I heard it close while I was 15 walking back there. 16 Q. Okay. So you heard the window 17 close? 18 A. Yes. 19 Q. Did you see the window close? 20 A. I think it was more of I heard the 21 snap of the window close and then saw 22 maybe the drapes close. 23 Q. So it was Mr. Bunn closed that</p>
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<p>1 window; right? 2 MR. COCKRELL: Object to the 3 form. 4 A. I don't know who closed it. You 5 know, that -- I called Josh at that point 6 and said I think a window just closed and 7 that's how I let him know that. 8 Q. (By Ms. Bolger) What did he say in 9 response? 10 A. From what I understand, he asked 11 Bunn if he closed a window, and that's 12 when he said I believe I need to talk to 13 my lawyer. 14 Q. Okay. So just so I understand it, 15 you heard a window close. You told 16 Hastings, Investigator Hastings, that a 17 window had closed, and he said to Bunn did 18 you just close a window, and Mr. Bunn said 19 I need my lawyer; right? 20 A. I believe that's the way it 21 happened. 22 Q. Okay. So now Mr. Bunn has lied to 23 you, he's closed the window the victim</p>	<p>1 says she climbed out of, and he said he 2 needs a lawyer. 3 Are you getting suspicious of 4 Mr. Bunn's ability to tell you the truth? 5 A. Yes. 6 Q. So what did you do next? 7 A. When he requested his attorney, 8 you know, he's invoking his rights at that 9 time, so we get out of the residence, and 10 at that time we're probably going to try 11 to see -- put everything that we've got 12 together to get a search warrant. 13 Q. Okay. So why did you have to 14 leave the house? 15 A. Well, with him -- at that point we 16 didn't have enough for a search warrant. 17 We both discussed that we didn't have 18 enough to get a search warrant in our 19 minds, so -- 20 Q. Why not? 21 A. -- we just didn't feel like, you 22 know, she said she went out a window. You 23 know, that's in line with her story that</p>

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<p>1 she's told us, but going back to what her 2 statement said, you know, the elements of 3 that crime of rape was not met, so, you 4 know, we're still looking to investigate 5 this. 6 If he's asking for his attorney, 7 you know, we're trying to do this without 8 having to get a search warrant just 9 because it would be quicker that way, so 10 when he invokes his rights we decide, you 11 know, we're going to leave, go back to the 12 office and just go with what we've got. 13 We leave the residence, and I 14 believe Josh said that -- he called me on 15 the LINC, and that's the radios that we 16 use, he said you know I think we need -- 17 let's just let the judge tell us no. 18 He turned around and went back and 19 pulled him and the guy that was in the 20 house with Bunn pulled him out of the 21 house and they locked the house down at 22 that point. I was going to go back by the 23 hospital to try to get some more</p>	<p>1 information from the victim. 2 When I stopped by, she was in the 3 middle of the exam so I went on to the 4 office and was waiting for information, 5 anything that we could get that I could 6 possibly type up a search warrant. 7 Q. Okay. So at the door with 8 T. J. Bunn he lies to you. He closes a 9 window. Megan Rondini has said that he 10 held her down, that she didn't want to 11 have sex with him, that he took her phone, 12 that she climbed out a window, and you 13 still don't think you have enough for a 14 search warrant? 15 MR. COCKRELL: Object to the 16 form. 17 Q. (By Ms. Bolger) Is that right? 18 MR. COCKRELL: Object to the 19 form. 20 A. Yes. 21 Q. (By Ms. Bolger) Do all sexual 22 crimes in the state of Alabama require 23 earnest resistance?</p>
Page 123	Page 124
<p>1 A. No. 2 Q. So you didn't need her to 3 earnestly resist? 4 MR. COCKRELL: Object to the 5 form. 6 Q. (By Ms. Bolger) You're 7 investigating for a crime; right? 8 A. Well, you just asked for sexual 9 crimes. Rape requires earnest resistance. 10 There's other sexual crimes -- 11 Q. Well, sexual misconduct doesn't, 12 does it? 13 MR. COCKRELL: Object to the 14 form. 15 A. I don't know the statute for 16 sexual misconduct. I would just have to 17 read it to make sure. 18 Q. (By Ms. Bolger) Why couldn't you 19 arrest him for that? 20 A. Did it meet the elements? I don't 21 know. 22 Q. Well, did you think about that? 23 A. Well, at the time we're trying to</p>	<p>1 think about trying to do everything we can 2 for the victim that's at the hospital 3 without messing the case up, you know, as 4 far as, you know, if we stay in the house 5 he's asked us -- or he's invoked his 6 rights to a lawyer, and we were to keep 7 standing there questioning him, you know, 8 that's going -- it will mess the case up 9 from there, so -- 10 Q. Yeah, but why couldn't you arrest 11 him for sexual misconduct at this point? 12 What was the element -- 13 MR. COCKRELL: Object to the 14 form. 15 Q. (By Ms. Bolger) -- missing from 16 sexual misconduct that prevented you from 17 arresting T. J. Bunn? 18 A. I don't remember anything specific 19 that he could be arrested for on that. 20 Q. Did Mr. Bunn invoke his right to a 21 lawyer? You were in the house; right? 22 A. Yes, I wasn't -- I'm sorry, I was 23 not in the house. It was Investigator</p>

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<p>1 Hastings.</p> <p>2 Q. I'm sorry, you said that. I</p> <p>3 didn't mean to mislead you.</p> <p>4 Investigator Hastings was in the</p> <p>5 house. He invoked his right to a lawyer;</p> <p>6 right?</p> <p>7 A. Yes.</p> <p>8 Q. When someone invokes their right</p> <p>9 to a lawyer, you don't have to leave, do</p> <p>10 you?</p> <p>11 A. No, I mean, it was basically the</p> <p>12 questioning at that point, and we're</p> <p>13 leaving because he's wanting to talk to</p> <p>14 his lawyer, so, you know, it becomes one</p> <p>15 of those issues is it, you know, Fourth</p> <p>16 Amendment type thing that, you know, we</p> <p>17 need to back out, get a search warrant, so</p> <p>18 that's what we were looking at.</p> <p>19 Q. Did he tell you to leave the</p> <p>20 house?</p> <p>21 A. I don't remember if he told him</p> <p>22 that.</p> <p>23 Q. In fact, he invited Investigator</p>	<p>1 Hastings into the house; right?</p> <p>2 A. When we originally got there.</p> <p>3 Q. Right. So Investigator Hastings</p> <p>4 was there and he invited Investigator</p> <p>5 Hastings into the house; right?</p> <p>6 MR. COCKRELL: Can you --</p> <p>7 I'm having trouble understanding the</p> <p>8 questions. Can you slow them down a</p> <p>9 little bit?</p> <p>10 MS. BOLGER: Sure.</p> <p>11 MR. COCKRELL: I couldn't</p> <p>12 hear you myself.</p> <p>13 Q. (By Ms. Bolger) You testified</p> <p>14 about two minutes ago that when you got to</p> <p>15 the house, you rang the doorbell, Bunn</p> <p>16 came in, and invited Investigator Hastings</p> <p>17 into the house; correct?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. So he was in the house at</p> <p>20 Bunn's invitation; correct?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. So then investigator --</p> <p>23 then Mr. Bunn invokes his right to an</p>
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<p>1 attorney, but you weren't obligated to</p> <p>2 leave the house at that moment. You were</p> <p>3 obligated to stop asking him questions;</p> <p>4 correct?</p> <p>5 MR. COCKRELL: Object to the</p> <p>6 form.</p> <p>7 A. That's what we decided to do, was</p> <p>8 to try to get a search warrant.</p> <p>9 Q. (By Ms. Bolger) You just told me</p> <p>10 you couldn't get a search warrant.</p> <p>11 A. I didn't think we had enough. We</p> <p>12 were going to do everything we could to</p> <p>13 get one.</p> <p>14 Q. I still don't know why you left</p> <p>15 the house. Can you explain to me why</p> <p>16 Mr. Bunn's decision to invoke his right to</p> <p>17 an attorney caused you both to leave the</p> <p>18 house and leave him in it in a place that</p> <p>19 was an alleged crime scene?</p> <p>20 A. There again, that was a decision</p> <p>21 that we made to try to get a search</p> <p>22 warrant for the house.</p> <p>23 Q. But then you said that Hastings,</p>	<p>1 for lack of a better word, changed his</p> <p>2 mind and said let the judge tell us no and</p> <p>3 went back to the house; right?</p> <p>4 MR. COCKRELL: Object to the</p> <p>5 form.</p> <p>6 A. He's just saying, well, let's just</p> <p>7 let the judge tell us no. I mean, if we</p> <p>8 don't have enough for a search warrant,</p> <p>9 then the judge is going to have to be the</p> <p>10 one to say you don't have enough for a</p> <p>11 search warrant.</p> <p>12 Q. (By Ms. Bolger) Right. But he</p> <p>13 changed -- that's a change in position;</p> <p>14 right? You leave? You both leave; right?</p> <p>15 A. Yes.</p> <p>16 Q. And then Investigator Hastings</p> <p>17 changes his mind and goes back; right?</p> <p>18 A. It was a mutual decision on our</p> <p>19 part. You know, I'm just saying that</p> <p>20 that's why, you know, we went back, there</p> <p>21 again, to lock the scene down and just go</p> <p>22 with what we had to get the search</p> <p>23 warrant.</p>

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<p>1 Q. Right. But you changed your mind</p> <p>2 to go back? You made a mutual decision to</p> <p>3 go back; right?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And that's because you</p> <p>6 decided that leaving was the wrong</p> <p>7 decision; right?</p> <p>8 MR. COCKRELL: Object to the</p> <p>9 form.</p> <p>10 A. Not necessarily a wrong decision.</p> <p>11 I think, you know, we're taking everything</p> <p>12 into account that we know thus far, and at</p> <p>13 that point we didn't feel like or before</p> <p>14 we left we didn't feel like it was enough</p> <p>15 for a search warrant, but with, you know,</p> <p>16 just a couple of minutes down the road we</p> <p>17 decided, you know, let's just see if we</p> <p>18 can get a search warrant for the house.</p> <p>19 Q. It wasn't a couple of minutes. It</p> <p>20 was about 15 minutes; right?</p> <p>21 A. I don't think it was that long.</p> <p>22 Q. Well, you left the house at 11:25</p> <p>23 and you came back at 11:40; right?</p>	<p>1 A. 11?</p> <p>2 Q. I'm sorry. I'm looking at the</p> <p>3 clock. You left the house at -- sorry,</p> <p>4 7:25 in the morning and you came back at</p> <p>5 7:40 in the morning; right?</p> <p>6 A. That sounds right.</p> <p>7 Q. So it's 15 minutes; right?</p> <p>8 A. It didn't seem like it was that</p> <p>9 long but I guess -- what's the times --</p> <p>10 where is that time at? Is it on a sheet</p> <p>11 as far as like --</p> <p>12 Q. Yes, it's on a timeline created by</p> <p>13 the attorney general's office. I can show</p> <p>14 it to you later --</p> <p>15 A. I'm not doubting you. I'm just</p> <p>16 saying I can't remember what --</p> <p>17 Q. Okay. So between 7:25 and 7:40 is</p> <p>18 15 minutes. We can agree to that; right?</p> <p>19 A. Okay, okay, yes.</p> <p>20 Q. Okay. So what happened, what</p> <p>21 piece of information did you get between</p> <p>22 7:25 and 7:40 to decide to turn the car</p> <p>23 around?</p>
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<p>1 A. No new information.</p> <p>2 Q. Did you and Investigator Hastings</p> <p>3 speak to each other during that time?</p> <p>4 A. Over our LINC radios, yes.</p> <p>5 Q. What did you say to each other?</p> <p>6 A. Pretty much what I've told you,</p> <p>7 that, you know, we're just going to go</p> <p>8 back and see if we can lock the residence</p> <p>9 down and get them out of the house and</p> <p>10 I'll go back to the office, and I was</p> <p>11 going to swing by the hospital to try to</p> <p>12 get some more information if possible from</p> <p>13 the victim and then go straight to the</p> <p>14 office to try to type the search warrant</p> <p>15 up.</p> <p>16 Q. Did you speak to Captain Hood</p> <p>17 during that 15 minutes?</p> <p>18 A. I don't remember.</p> <p>19 Q. Well, you did speak to Captain</p> <p>20 Hood that morning; right?</p> <p>21 A. Yes.</p> <p>22 Q. In fact, Captain Hood went to</p> <p>23 T. J. Bunn's house; right?</p>	<p>1 A. I'm sure he probably did. I just</p> <p>2 don't remember it.</p> <p>3 Q. When did you speak to Captain</p> <p>4 Hood? When do you remember speaking to</p> <p>5 Captain Hood?</p> <p>6 A. It would have been after I got to</p> <p>7 the office. I don't remember a time that</p> <p>8 I spoke with him. It would have been when</p> <p>9 I was back at the homicide office.</p> <p>10 Q. How about Captain Hart? When did</p> <p>11 you first speak to then Lieutenant Hart?</p> <p>12 A. It would have been the same -- I'm</p> <p>13 not saying that I talked to them at the</p> <p>14 same time, but it would have been when I</p> <p>15 was back at the office.</p> <p>16 Q. Somebody called Hart from the</p> <p>17 crime scene -- sorry, someone called Hart</p> <p>18 from Bunn's house; right?</p> <p>19 MR. COCKRELL: Object to the</p> <p>20 form.</p> <p>21 A. It's possible.</p> <p>22 Q. (By Ms. Bolger) Well, we have</p> <p>23 video of someone saying, call Kip. Were</p>

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<p>1 you one of the people who said call Kip?</p> <p>2 A. No.</p> <p>3 Q. Did you speak to Captain Hart in</p> <p>4 the 15 minutes between 7:25 and 7:40 a.m.?</p> <p>5 A. I don't remember that.</p> <p>6 Q. Did you speak to Sheriff Abernathy</p> <p>7 at any point --</p> <p>8 A. No.</p> <p>9 Q. -- the morning of the alleged --</p> <p>10 of the investigation?</p> <p>11 A. Not at all.</p> <p>12 Q. Okay. So at 7:25 after Mr. Bunn</p> <p>13 lies to you and closes the window and</p> <p>14 tells you he needs his lawyer, you guys</p> <p>15 left the scene and he was completely by</p> <p>16 himself in his house -- well, he and his</p> <p>17 buddy were in his house alone between 7:25</p> <p>18 and when you returned at 7:40; right?</p> <p>19 A. Yes.</p> <p>20 Q. And what did he do during that</p> <p>21 time?</p> <p>22 A. What did he do?</p> <p>23 Q. Yes.</p>	<p>1 MR. COCKRELL: Object to the</p> <p>2 form.</p> <p>3 A. I have no idea.</p> <p>4 Q. (By Ms. Bolger) What's that?</p> <p>5 A. I have no idea.</p> <p>6 Q. Right. He could have done</p> <p>7 anything; right?</p> <p>8 A. Right.</p> <p>9 Q. So now you have an alleged suspect</p> <p>10 who a woman has said took her to a place</p> <p>11 she didn't know, took her phone, held her</p> <p>12 down by the hips, who she told she wanted</p> <p>13 to have sex with, who's lied to you, who</p> <p>14 closed a window, who invoked his lawyer</p> <p>15 and he's completely by himself in the</p> <p>16 crime scene; right?</p> <p>17 MR. COCKRELL: Object to the</p> <p>18 form.</p> <p>19 You can answer.</p> <p>20 A. Yes.</p> <p>21 Q. (By Ms. Bolger) Seems like that</p> <p>22 may not be best practices to me, what do</p> <p>23 you think?</p>
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<p>1 MR. COCKRELL: Object to the</p> <p>2 form.</p> <p>3 A. There again, we were going by --</p> <p>4 up and to that point we were going with</p> <p>5 everything that we had, with her</p> <p>6 statement, and an open window, you know,</p> <p>7 is not enough to arrest anybody for rape</p> <p>8 or anything like that. It goes along with</p> <p>9 her statement, but we just have to get</p> <p>10 more to meet the element of the crime.</p> <p>11 Q. (By Ms. Bolger) Then why come</p> <p>12 back? Why go back?</p> <p>13 A. We just -- to get, you know, to</p> <p>14 try to get a search warrant for the house.</p> <p>15 We just didn't think we had enough, so we</p> <p>16 were going to say well, let's just --</p> <p>17 let's let the judge tell us no. If we</p> <p>18 don't have enough, we don't have enough.</p> <p>19 We didn't think we had enough.</p> <p>20 Q. What's the process for getting a</p> <p>21 search warrant?</p> <p>22 A. You type up a complaint, you know,</p> <p>23 include any probable cause for a crime</p>	<p>1 that's been committed, take it over to a</p> <p>2 judge, or they have a duty judge in</p> <p>3 Tuscaloosa, certain ones that's on call,</p> <p>4 so that's why they call it a duty judge.</p> <p>5 You take it to that judge. He</p> <p>6 determines if enough probable cause is</p> <p>7 there to sign the search warrant.</p> <p>8 Q. Can you do it by phone?</p> <p>9 A. No.</p> <p>10 Q. You have to hand deliver a</p> <p>11 document; right?</p> <p>12 A. Yes.</p> <p>13 Q. Well, if Megan had -- or</p> <p>14 hypothesize a victim you believed in the</p> <p>15 hospital had been sexually assaulted. If</p> <p>16 you wanted to get a search warrant, would</p> <p>17 you go to the judge before you went to the</p> <p>18 suspect's house or would you go to the</p> <p>19 suspect's house and then get the search</p> <p>20 warrant?</p> <p>21 A. It just depends on the case. It</p> <p>22 varies.</p> <p>23 Q. Okay. Well, in other cases, if</p>

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<p>1 there was a complaining witness at the</p> <p>2 hospital, who you believed had been</p> <p>3 sexually assaulted, would you go -- did</p> <p>4 you go right to a judge to get a search</p> <p>5 warrant or did you go to the suspect's</p> <p>6 home?</p> <p>7 A. There again, it's just going to</p> <p>8 vary. You know, certain -- I mean, that's</p> <p>9 the only way I can describe it. It's just</p> <p>10 going to vary from case to case. It's</p> <p>11 just different.</p> <p>12 Q. Okay. Well, tell me have you ever</p> <p>13 been in the hospital, interviewed a woman</p> <p>14 who said she was raped who you believed</p> <p>15 had met the elements of the crime, have</p> <p>16 you ever gone right from the hospital to</p> <p>17 the suspect's home in those circumstances?</p> <p>18 A. I don't remember.</p> <p>19 Q. What do you mean you don't</p> <p>20 remember? How could you not remember</p> <p>21 that?</p> <p>22 A. I don't remember.</p> <p>23 MR. COCKRELL: Object to the</p>	<p>1 last question.</p> <p>2 Q. (By Ms. Bolger) What's your usual</p> <p>3 practice? What was your usual practice?</p> <p>4 A. Usually going to the scene, you</p> <p>5 know, sometimes you try to get consent</p> <p>6 before you get a search warrant just</p> <p>7 because it's a lot less time involved.</p> <p>8 Q. Okay. Well, you returned to this</p> <p>9 house at 7:40 and what happened next?</p> <p>10 A. I believe other investigators</p> <p>11 started -- they showed up at his house,</p> <p>12 and at some point somebody, I don't know</p> <p>13 who, called -- or they didn't call, he</p> <p>14 spoke with Bunn's attorney, and I don't</p> <p>15 know which investigator it was but I know</p> <p>16 that somebody on the scene out there</p> <p>17 talked with Bunn's attorney.</p> <p>18 Q. Okay. There was a lot in that</p> <p>19 answer so let me unpack it.</p> <p>20 Did you, yourself, go back to the</p> <p>21 Bunn house?</p> <p>22 A. No.</p> <p>23 Q. So Investigator Hastings went back</p>
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<p>1 to the Bunn house; right?</p> <p>2 A. Yes.</p> <p>3 Q. And where did you go?</p> <p>4 A. I went back to the homicide</p> <p>5 office.</p> <p>6 Q. Okay. Why did you go back to the</p> <p>7 homicide office?</p> <p>8 A. To type up a search warrant.</p> <p>9 Q. Okay. Did you ultimately type up</p> <p>10 that search warrant?</p> <p>11 A. No, they advised me that he had</p> <p>12 given consent.</p> <p>13 Q. Who advised you?</p> <p>14 A. I can't remember who called me</p> <p>15 that day. It was somebody on the scene</p> <p>16 said that he had given consent to search</p> <p>17 the house and process the house, so I</p> <p>18 didn't do a search warrant.</p> <p>19 Q. Were you involved at all, as you</p> <p>20 put it, processing the house?</p> <p>21 A. No.</p> <p>22 Q. Were you getting updates from</p> <p>23 Hastings or other investigators who were</p>	<p>1 at the house?</p> <p>2 A. As updates would come in, I mean,</p> <p>3 you know, it takes a while to take photos</p> <p>4 and video, so, you know, they really don't</p> <p>5 ever call during that -- the processing</p> <p>6 time unless they find something. You</p> <p>7 know, at this particular time I don't</p> <p>8 remember getting a call from anybody.</p> <p>9 Q. Do you remember hearing anything</p> <p>10 about anybody actually questioning Bunn?</p> <p>11 A. I think they got a statement from</p> <p>12 him on the scene. There again, I don't</p> <p>13 remember who exactly it was that talked to</p> <p>14 him.</p> <p>15 Q. That morning did you know the</p> <p>16 contents of the statement he gave?</p> <p>17 A. No.</p> <p>18 Q. When did you first know the</p> <p>19 contents of the statement he gave?</p> <p>20 A. It would have been later on that</p> <p>21 afternoon probably.</p> <p>22 Q. So you were the lead investigator</p> <p>23 in the case and he's the suspect. Is it</p>

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<p>1 unusual that you didn't stay to interview</p> <p>2 the suspect?</p> <p>3 A. That's not -- that's not unusual.</p> <p>4 Q. Why not?</p> <p>5 A. Well, it's a lot of moving parts</p> <p>6 in an investigation, and, you know, that's</p> <p>7 why they usually team people up.</p> <p>8 Sometimes it's more than one team, and,</p> <p>9 you know, sometimes the lead investigator</p> <p>10 may question both victim and suspect.</p> <p>11 Sometimes it's split. You know, there's</p> <p>12 really -- there was nothing unusual about</p> <p>13 the way it was done as far as the</p> <p>14 interview, so.</p> <p>15 Q. One of the consent forms that was</p> <p>16 signed by Bunn seems to -- says it was</p> <p>17 signed at 6:47 in the morning. Did</p> <p>18 Mr. Bunn sign a consent to search form</p> <p>19 before you left the house the first time?</p> <p>20 MR. COCKRELL: Object to the</p> <p>21 form.</p> <p>22 A. I believe he signed one when it</p> <p>23 was just me and Josh there, I believe he</p>	<p>1 did.</p> <p>2 Q. (By Ms. Bolger) So why didn't you</p> <p>3 search the house then?</p> <p>4 A. Well, there again, you know, with</p> <p>5 him invoking his right, you know, how much</p> <p>6 is going to get thrown out in court</p> <p>7 potentially down the road if we stay there</p> <p>8 and, you know, he's wanting to talk to his</p> <p>9 lawyer. You know, I'm just -- I'm just</p> <p>10 giving you a for instance of what may be</p> <p>11 going through our minds at that point, I</p> <p>12 can't remember, but that sounds reasonable</p> <p>13 that we were thinking that way.</p> <p>14 Q. Well, if he signs a consent form</p> <p>15 at 6:47 in the morning and in vehicles his</p> <p>16 attorney at 7:15 in the morning, that's</p> <p>17 half an hour. Did you search the house in</p> <p>18 that half an hour?</p> <p>19 A. I don't believe so.</p> <p>20 Q. Did you start searching the house</p> <p>21 in that half an hour?</p> <p>22 A. I think it was more -- there</p> <p>23 again, I wasn't talking with him, but I</p>
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<p>1 know that, you know, you get further with</p> <p>2 people if you're talking nice to them and</p> <p>3 trying to, you know, not alarm them that</p> <p>4 you're fixing to be looking through their</p> <p>5 house.</p> <p>6 So, you know, I feel like Josh he</p> <p>7 does a good job with building rapport with</p> <p>8 suspects, and I feel like that's probably</p> <p>9 what he was doing during that time, just</p> <p>10 knowing the way he interviews people.</p> <p>11 And it's just, it's basically just</p> <p>12 being nice to somebody to try to, you</p> <p>13 know, get in to where you can search the</p> <p>14 house.</p> <p>15 Q. But you could search the house.</p> <p>16 You didn't have to ask him. You already</p> <p>17 had permission. You had a consent form</p> <p>18 saying that you could search his house</p> <p>19 signed at 6:47 in morning; right?</p> <p>20 I don't understand why he was</p> <p>21 still asking him. He had permission to</p> <p>22 search the house. Why not search the</p> <p>23 house?</p>	<p>1 A. Well, there again, you know, by</p> <p>2 signing a consent form it could be revoked</p> <p>3 at any time.</p> <p>4 Q. Did he revoke it?</p> <p>5 A. I don't know. I mean, not that</p> <p>6 I'm aware of.</p> <p>7 Q. No, he didn't invoke it -- I'm</p> <p>8 sorry, he didn't revoke it that you know</p> <p>9 of; right?</p> <p>10 A. Not that I know of.</p> <p>11 Q. So you-all could have searched the</p> <p>12 house; you chose not to, right?</p> <p>13 MR. COCKRELL: Object to the</p> <p>14 form.</p> <p>15 A. I don't know -- it wasn't that we</p> <p>16 didn't search the house. It was probably</p> <p>17 like I'm talking about, and then when I</p> <p>18 called Josh about the window, then that's</p> <p>19 when his tone changed, you know, wanting</p> <p>20 his lawyer.</p> <p>21 Q. Right. He wanted his lawyer, so</p> <p>22 that meant you have to stop questioning</p> <p>23 him, but he didn't revoke the consent;</p>

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<p>1 right?</p> <p>2 A. Not that I know of.</p> <p>3 Q. But you didn't search the house</p> <p>4 anyway; right?</p> <p>5 A. Not at that time.</p> <p>6 Q. You left, left him alone in the</p> <p>7 house, and then came back and then you</p> <p>8 searched the house; right?</p> <p>9 A. Yes.</p> <p>10 Q. You said you went back to the</p> <p>11 office to do a search warrant, but then</p> <p>12 you didn't have to do a search warrant</p> <p>13 because Bunn consented another time to</p> <p>14 search his house, so what did you do back</p> <p>15 at the office while Investigator Hastings</p> <p>16 and colleagues were at the house?</p> <p>17 A. I was trying to get back in touch</p> <p>18 with the victim because we just -- we</p> <p>19 needed to talk to her to get some more</p> <p>20 details about what was going on or what</p> <p>21 went on, and that's what I was trying to</p> <p>22 do is get her back into the office to</p> <p>23 interview her.</p>	<p>1 Q. Okay. Are you aware that the best</p> <p>2 practices for interviewing sexual assault</p> <p>3 victims is to determine the victim's</p> <p>4 emotional and physical stability to</p> <p>5 schedule to in-depth interview and</p> <p>6 schedule the interview as soon as those</p> <p>7 factors allow?</p> <p>8 MR. COCKRELL: Object to the</p> <p>9 form.</p> <p>10 A. I know that that's a guideline to</p> <p>11 use, but, you know, in this situation we</p> <p>12 don't have enough to get -- I mean, I'm</p> <p>13 sorry, to get an arrest warrant for Bunn.</p> <p>14 We're trying to get as much</p> <p>15 information from our victim as possible</p> <p>16 because, you know, we can't hold him. We</p> <p>17 don't have an investigative hold here, so</p> <p>18 I'm trying to get as much information to</p> <p>19 where I can build this case to, you know,</p> <p>20 if there's enough there that we can make</p> <p>21 an arrest, we're going to arrest him.</p> <p>22 Q. (By Ms. Bolger) Well, you're --</p> <p>23 you're letting Bunn have his house to</p>
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<p>1 himself, but you're trying to get</p> <p>2 information from Megan; right?</p> <p>3 MR. COCKRELL: Object to the</p> <p>4 form.</p> <p>5 A. At that point the investigators</p> <p>6 were out there.</p> <p>7 Q. (By Ms. Bolger) Well, right,</p> <p>8 before then. You waited 30 minutes,</p> <p>9 didn't do anything when you had a consent</p> <p>10 to investigate and you left the house --</p> <p>11 MR. COCKRELL: Object to the</p> <p>12 form.</p> <p>13 Q. (By Ms. Bolger) -- Mr. Bunn got to</p> <p>14 stay in the house by himself, so you</p> <p>15 weren't asking him questions, you were</p> <p>16 only trying to get to Megan; right?</p> <p>17 MR. COCKRELL: Object to the</p> <p>18 form.</p> <p>19 A. He's invoked his right. We can't</p> <p>20 ask him any questions.</p> <p>21 Q. (By Ms. Bolger) He didn't revoke</p> <p>22 his consent to search his house; right?</p> <p>23 We've agreed on that.</p>	<p>1 A. You're asking about questions. We</p> <p>2 didn't ask him any questions.</p> <p>3 Q. So what time did you first see</p> <p>4 Megan?</p> <p>5 A. I can't remember the exact time</p> <p>6 she came back in the office. I would say</p> <p>7 it was 11 o'clock.</p> <p>8 Q. There's actually something I don't</p> <p>9 quite understand about the timing of the</p> <p>10 window closing at the house, so let me</p> <p>11 just talk about that before we talk about</p> <p>12 Megan.</p> <p>13 So you said the window closed</p> <p>14 while Hastings, Investigator Hastings, was</p> <p>15 talking to Bunn?</p> <p>16 A. From what I understand, they -- he</p> <p>17 went in. They went up to -- upstairs and</p> <p>18 as I'm walking around the perimeter of the</p> <p>19 house, that's when I hear the window close</p> <p>20 and I see the curtains moving, and I</p> <p>21 called Josh on the LINC and say I think</p> <p>22 the window just closed.</p> <p>23 I don't know -- I can't remember</p>

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<p style="text-align: right;">Page 149</p> <p>1 where he said that he was at in the room.  2 I'm pretty sure he was upstairs, which I'm  3 pretty sure Josh was upstairs. I know  4 Bunn was in the room, in the bedroom where  5 window closed, but that's when he asked  6 him about the window closing.  7 Q. So Hastings was actually upstairs  8 in the -- in or around the bedroom where  9 the alleged crime took place when Bunn was  10 closing the window?  11 MR. COCKRELL: Object to the  12 form.  13 A. I don't remember exactly. I think  14 that he said he was.  15 Q. (By Ms. Bolger) So Hastings didn't  16 just stay in the foyer, he went throughout  17 the Bunn house?  18 A. No, I don't -- that didn't --  19 there again, I think he's talking to him  20 the whole time trying to, you know, alarm  21 him of why we're here, you know, but I  22 don't -- I can't remember exactly where he  23 was at when that window closed.</p>	<p style="text-align: right;">Page 150</p> <p>1 I want to say that he was either  2 at the top of those stairs right there at  3 the house, but I can't say for sure.  4 Q. Is it your usual practice to not  5 to try to alarm suspects in violent crime  6 investigations?  7 A. Well, if you're wanting to get  8 some cooperation it's better not to alarm  9 them.  10 Q. Why did you want cooperation?  11 MR. COCKRELL: What was the  12 last word? I didn't hear it.  13 MS. BOLGER: Cooperation.  14 A. Well, like I say, it would be a  15 lot easier to get cooperation than have to  16 go through more paperwork to get search  17 warrants to search the house.  18 Q. But you had cooperation by that  19 part. He had signed the consent form to  20 search. Why are you still bothering to  21 get cooperation if you've already got the  22 consent to search?  23 A. Like I say, it was a large house.</p>
<p style="text-align: right;">Page 151</p> <p>1 I don't know where they walked when they  2 went in the house, but it was going to  3 take more than 30 minutes to search that  4 house.  5 Q. But you guys didn't even start;  6 right?  7 A. I didn't go into search, no.  8 Q. In that first visit to the Bunn's  9 house when he signed the consent search,  10 the first time, did you-all know there was  11 another person in the house?  12 A. I believe he did tell us that at  13 the door.  14 Q. And who was that?  15 A. Jason Barksdale.  16 Q. Okay. And did you ask to speak to  17 him?  18 A. No.  19 Q. Why not?  20 A. Well, at the time he was asleep in  21 the bed, and we just -- at that point we  22 didn't ask to speak with him.  23 Q. I know. I asked why not?</p>	<p style="text-align: right;">Page 152</p> <p>1 A. We just didn't.  2 Q. Okay. So you're back at the  3 police station and Megan came in and you  4 don't remember what time. Do you have a  5 sense of how long it was between when you  6 returned and when Megan came?  7 A. It was probably a couple of hours  8 I think.  9 Q. It was apparently approximately  10 around 11:25 in the morning. Does that  11 sound right to you?  12 A. Yes.  13 Q. Okay. By the time Ms. Rondini  14 came in to be questioned by you, to be  15 interviewed by you, what information, if  16 any, had you obtained from the scene at  17 the Bunn's house?  18 A. I don't remember anything  19 specifically at that point.  20 Q. So I want to understand your  21 answer. Did you know something and you  22 don't remember what it was now or did you  23 not know anything from the house at the</p>

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<p>1 Bunn's?</p> <p>2 A. I'm just saying I don't remember</p> <p>3 if they called me with any information</p> <p>4 then or if it was later on after the</p> <p>5 interview started.</p> <p>6 Q. When you sat down to interview</p> <p>7 Ms. Rondini at 11:25 in the morning what</p> <p>8 did you know about the case?</p> <p>9 A. I just knew that we had to get</p> <p>10 some more information at that point.</p> <p>11 Q. Right. But what information did</p> <p>12 you have, you the person who was</p> <p>13 interviewing you? What information did</p> <p>14 you have at that point?</p> <p>15 A. Just the statement that she gave</p> <p>16 me and when we went out to the house, as</p> <p>17 far as, you know, seeing where she had</p> <p>18 stacked the cooler and trash can up and</p> <p>19 the window closing. I mean, I can't</p> <p>20 remember everything at that point, what</p> <p>21 information I had.</p> <p>22 Q. You basically had her story at the</p> <p>23 hospital and actually the corroborating</p>	<p>1 things you had seen at Bunn's house;</p> <p>2 right?</p> <p>3 A. Yes.</p> <p>4 Q. And you had Bunn lying to you;</p> <p>5 right?</p> <p>6 A. Yes.</p> <p>7 Q. Do you know if Megan had slept</p> <p>8 between when you first saw her at the</p> <p>9 hospital and when she came into the room?</p> <p>10 A. I didn't know if she had.</p> <p>11 Q. Do you know if she had eaten?</p> <p>12 A. I don't.</p> <p>13 Q. Do you have a memory of what she</p> <p>14 was wearing?</p> <p>15 A. Shorts and a T-shirt.</p> <p>16 Q. Do you have an impression of how</p> <p>17 she looked? Did she look unhappy?</p> <p>18 Disheveled? Anything like that?</p> <p>19 A. I don't remember.</p> <p>20 Q. What do you remember Megan telling</p> <p>21 you at that interview?</p> <p>22 A. It was pretty much the same, same</p> <p>23 thing, that she told me at the hospital.</p>
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<p>1 Q. What do you mean by that?</p> <p>2 A. As far as the details, it was</p> <p>3 pretty much the same thing that she told</p> <p>4 me at the hospital.</p> <p>5 Q. During that first impression did</p> <p>6 you -- during that first interview, did</p> <p>7 you form an impression of what had</p> <p>8 happened to Megan?</p> <p>9 A. I know she was upset but, you</p> <p>10 know, I didn't really know to the full</p> <p>11 extent of what happened, so that's one</p> <p>12 reason that we wanted to have her back in</p> <p>13 the office to, you know, get some more</p> <p>14 details about the alleged sexual assault.</p> <p>15 Q. I'm saying after that interview,</p> <p>16 after that interview, did you have an</p> <p>17 impression of what happened with Megan?</p> <p>18 A. It was really -- I mean we still</p> <p>19 didn't have enough to get an arrest</p> <p>20 warrant at that point.</p> <p>21 Q. What did you think had happened?</p> <p>22 A. I mean, just knowing what her</p> <p>23 statement was, you know, she -- he</p>	<p>1 performed oral sex on her, she performed</p> <p>2 oral sex on him, and then he had</p> <p>3 intercourse. She let him have sex with</p> <p>4 her. I mean --</p> <p>5 Q. Was it your impression that she</p> <p>6 had consensual sex with him at that point?</p> <p>7 A. At that point, you know, what she</p> <p>8 was telling me didn't lead me to believe</p> <p>9 it was a sexual assault.</p> <p>10 Q. What other -- what else do you</p> <p>11 remember about that interview?</p> <p>12 A. I know she eventually told, you</p> <p>13 know, that she got a gun out of his car.</p> <p>14 She had to climb back up into his room</p> <p>15 because she was missing her car keys, or</p> <p>16 keys. I said car keys, but she's missing</p> <p>17 keys.</p> <p>18 Q. It wasn't her car keys; right? It</p> <p>19 was her house keys; right?</p> <p>20 A. Yeah, I believe it was her</p> <p>21 apartment, yeah. I mean, just her adding</p> <p>22 the information about the gun, I know</p> <p>23 that, and then climbing back in the window</p>

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<p>1 that was new information that we had got</p> <p>2 from -- different from the hospital.</p> <p>3 Q. What was different?</p> <p>4 A. Her taking the gun.</p> <p>5 Q. Right. Sorry, I got lost, I</p> <p>6 apologize.</p> <p>7 A. And taking the -- I'm sorry,</p> <p>8 stacking up the cooler in the trash can to</p> <p>9 climb back in the window, that was new</p> <p>10 information.</p> <p>11 Q. That's what I thought I heard you</p> <p>12 say, but she did say she climbed back in</p> <p>13 the window at the hospital? She did tell</p> <p>14 you she went back into window?</p> <p>15 A. I'm looking.</p> <p>16 Q. I'm looking at it. She says, I</p> <p>17 got a cooler and a trash can and I jumped</p> <p>18 onto the cooler and the trash can to try</p> <p>19 and back up and see if I could get my</p> <p>20 keys, so she did tell you that at the</p> <p>21 hospital.</p> <p>22 A. Okay, yes, yes.</p> <p>23 Q. Okay.</p>	<p>1 MS. BOLGER: Hey, J. T.,</p> <p>2 would you please show the witness AR.</p> <p>3 MR. THOMPSON: Yeah, hang</p> <p>4 on.</p> <p>5 MS. BOLGER: And, Nancy, if</p> <p>6 you'll mark it as Exhibit 29, I would be</p> <p>7 grateful.</p> <p>8 (Whereupon, a document was marked</p> <p>9 as Defendant's Exhibit No. 29 and</p> <p>10 is attached to the original</p> <p>11 transcript.)</p> <p>12 Q. Before you take a look at it,</p> <p>13 sorry, I should have asked you this.</p> <p>14 Before Megan came in for her interview at</p> <p>15 11:25, had you spoken to Captain Hood</p> <p>16 about Megan's allegations?</p> <p>17 A. If I did, I don't remember it.</p> <p>18 I'm sure I probably did because everybody</p> <p>19 in the office was working on this case, so</p> <p>20 I'm pretty sure that I spoke with him</p> <p>21 about it.</p> <p>22 Q. Why was everybody in the office</p> <p>23 working on this case?</p>
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<p>1 A. Well, I mean, it's just helping</p> <p>2 with the timeframe, searching the whole</p> <p>3 house, processing everything, and</p> <p>4 following up with the taxi driver, you</p> <p>5 know, that's another team in another</p> <p>6 direction. I mean it was just a lot of</p> <p>7 moving parts going right then.</p> <p>8 Q. Does everybody in the office work</p> <p>9 on every case in the Homicide Unit?</p> <p>10 A. Not every case.</p> <p>11 Q. Why were there so many people</p> <p>12 working on this particular case?</p> <p>13 A. Well, it was just, you know, he</p> <p>14 was saying he was fixing to go out of town</p> <p>15 so we wanted to get as much information</p> <p>16 that we could that if we had enough to</p> <p>17 arrest him, we could get him arrested</p> <p>18 before he leaves town.</p> <p>19 Q. When did he tell you-all -- sorry,</p> <p>20 I'm talking about before 11 o'clock in the</p> <p>21 morning, but we don't have to worry about.</p> <p>22 You said everybody is working on it</p> <p>23 because he said he's fixing to leave town.</p>	<p>1 When did you learn that he was</p> <p>2 fixing to leave town?</p> <p>3 A. I don't remember that time. It</p> <p>4 was -- I don't remember.</p> <p>5 Q. What do you remember about it?</p> <p>6 A. I just remember him saying that he</p> <p>7 had a planned trip to go out of town.</p> <p>8 Q. Okay. And what did that -- what</p> <p>9 did that cause you-all to do?</p> <p>10 A. Well, like I say, we were just</p> <p>11 trying to get as much evidence as we can,</p> <p>12 and if we can get the evidence and make</p> <p>13 this case to get the arrest warrant, we're</p> <p>14 -- that's what we're trying to do.</p> <p>15 Q. But you didn't call him in to the</p> <p>16 police department to interview him that</p> <p>17 day?</p> <p>18 A. He had invoked his rights.</p> <p>19 Q. But you talked to his lawyer and</p> <p>20 you didn't have him and his lawyer come</p> <p>21 into the office that day. Why not?</p> <p>22 MR. COCKRELL: Object to the</p> <p>23 form.</p>

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<p>1 Go ahead.</p> <p>2 A. I don't know that his lawyer could</p> <p>3 go to the office. I don't know that for</p> <p>4 sure, but I don't know if his lawyer could</p> <p>5 go.</p> <p>6 Q. (By Ms. Bolger) Well, you guys</p> <p>7 wait on defense lawyer's schedules in the</p> <p>8 police department in Tuscaloosa?</p> <p>9 A. Well, he talked to the lawyer --</p> <p>10 somebody talked to the lawyer, his lawyer.</p> <p>11 Q. Right. But you talked to his</p> <p>12 lawyer, you talked to him. Why couldn't</p> <p>13 you say to them both get to the office,</p> <p>14 get to the police station, we need to talk</p> <p>15 with you?</p> <p>16 MR. COCKRELL: Object to the</p> <p>17 form.</p> <p>18 A. I don't know why that --</p> <p>19 Q. (By Ms. Bolger) Defense lawyers</p> <p>20 don't usually get to tell the police what</p> <p>21 to do, do they?</p> <p>22 A. If we don't have enough to bring</p> <p>23 him in and hold him and they schedule a</p>	<p>1 time to come in, that's not uncommon.</p> <p>2 Q. This is a guy who is being accused</p> <p>3 of a violent crime and you guys didn't</p> <p>4 feel like you could tell his lawyer to</p> <p>5 come in the afternoon on the day of the</p> <p>6 violent crime?</p> <p>7 MR. COCKRELL: Object to the</p> <p>8 form.</p> <p>9 A. I'm just saying if we don't have</p> <p>10 enough to bring him in, you know, the</p> <p>11 lawyer is not going to agree for him to</p> <p>12 give us a statement on anything.</p> <p>13 Q. (By Ms. Bolger) Is it your</p> <p>14 position as you sit here that you didn't</p> <p>15 have enough with Megan saying she was held</p> <p>16 down, Bunn taking her to a house that she</p> <p>17 doesn't know where she is, Bunn taking her</p> <p>18 to telephone, her saying she didn't want</p> <p>19 to have sex with him, him lying to you,</p> <p>20 him closing the window, you're saying you</p> <p>21 didn't have enough to say to his lawyer</p> <p>22 hey, you better come to the station this</p> <p>23 afternoon? That's your testimony?</p>
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<p>1 MR. COCKRELL: Object to the</p> <p>2 form.</p> <p>3 A. Yes, we didn't have enough.</p> <p>4 Q. (By Ms. Bolger) What do you need</p> <p>5 in Tuscaloosa to have your lawyer be</p> <p>6 compelled to show up at the police</p> <p>7 station?</p> <p>8 A. There again, we just -- we did not</p> <p>9 have the elements of rape met.</p> <p>10 Q. What did you need to bring</p> <p>11 Mr. Bunn into the office for an interview</p> <p>12 on July 2nd?</p> <p>13 A. Well, when we asked that's when</p> <p>14 he's saying he's got to go out of town,</p> <p>15 so, you know, if we're -- and not having</p> <p>16 enough to arrest him at that point, if</p> <p>17 we're being nice to him, as far as trying</p> <p>18 to accommodate a schedule to get a good</p> <p>19 statement from him, because once -- if his</p> <p>20 lawyer is present and he says don't give</p> <p>21 him anything, then we don't have anything.</p> <p>22 Q. Why are you being nice to</p> <p>23 Mr. Bunn?</p>	<p>1 A. It's not necessarily -- I'm not</p> <p>2 saying that we're being nice to him. It's</p> <p>3 more of --</p> <p>4 Q. You just said you're being nice to</p> <p>5 him. Why are you being nice to him?</p> <p>6 MR. COCKRELL: Whoa, whoa,</p> <p>7 whoa, let him answer the question before</p> <p>8 you interrupt him, okay?</p> <p>9 Q. (By Ms. Bolger) Nice is your word.</p> <p>10 Why were you being nice to him?</p> <p>11 MR. COCKRELL: Whoa, whoa.</p> <p>12 Whoa, whoa. I'm going to instruct him if</p> <p>13 you will let him answer one question at a</p> <p>14 time. You can answer the last question if</p> <p>15 you remember it, the one you started to.</p> <p>16 Q. (By Ms. Bolger) Nice is your word.</p> <p>17 Why were you being nice to him? That's</p> <p>18 the pending question.</p> <p>19 A. I was just referring to you can</p> <p>20 attract more flies with honey than you can</p> <p>21 with vinegar.</p> <p>22 Q. Is that a common theme in law</p> <p>23 enforcement?</p>

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<p>1 A. It's an old southern saying, 2 that's all I know. But I'm just saying if 3 we come in slamming things around, it's 4 going to be locked down right there. 5 Q. Well, you had enough to bring him 6 in for questioning on July 6th. Why 7 couldn't you bring him in on July 2nd? 8 Nothing happened. You didn't get an 9 arrest warrant. What was different 10 between July 2nd and July 6th? 11 A. It was his statement. He came in 12 with his attorney then. 13 Q. Why couldn't you ask him to come 14 on July 2nd? 15 A. He was fixing to get -- to go out 16 of town. 17 Q. Why didn't someone from the 18 violent -- the Homicide Unit say to him 19 hey, come give a statement this afternoon 20 before you go? 21 A. I'm sure it was said. I don't 22 remember. 23 Q. What's your basis for saying it</p>	<p>1 was said? 2 A. I'm sure they asked him for a 3 statement. 4 Q. What's your basis for that? 5 A. There is a recorded statement. 6 Q. What is your basis for saying that 7 someone asked Bunn to come to the 8 sheriff's office that afternoon on 9 July 2nd? 10 A. Well, that's when he told me that 11 he had to go out of town. I'm assuming 12 that that was a question that was asked, 13 and he said that I've got a pre-planned 14 trip to go out of town. 15 Q. So in Tuscaloosa if I'm accused of 16 sexual assault and the police ask me to 17 show up in the afternoon, I can just say 18 I'm sorry, I'm going out of town, I'll 19 catch you when I get back? 20 MR. COCKRELL: Object to the 21 form. 22 A. No. 23 Q. (By Ms. Bolger) Why could Mr. Bunn</p>
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<p>1 do that? 2 A. Anybody could do that. If they 3 had what little we had, anybody could do 4 that. 5 Q. In your experience, how many times 6 did you let suspects go out of town with 7 their attorneys before you questioned 8 them? 9 A. I'm not aware of any on my side. 10 Q. This is the only time that 11 happened? 12 A. It's the only time I can think of. 13 Q. Okay. Will you take a look at the 14 document we just marked as Exhibit 29? 15 For the record, this is a 16 transcript of a video interview taken on 17 July 2nd, 2015, between officer, Megan, 18 and Ms. Stewart, and it was transcribed on 19 July 13th, 2017, and for the record, I 20 will say that this document was produced 21 to us as part of the documents in the 22 wrongful death suit brought by the 23 Rondinis, so we didn't actually make this</p>	<p>1 one. This was actually provided by the 2 parties. 3 MR. COCKRELL: Hey, Kate, 4 it's about 11:58 here. Do you want to 5 take a lunch break? 6 MS. BOLGER: Yeah, why don't 7 we take -- can you guys go another 8 15 minutes before I do that or another 9 half an hour or are you hungry? 10 MR. COCKRELL: I tell you 11 what let's take a ten-minute break and I 12 don't have a problem with you going 13 another 30 minutes. 14 MS. BOLGER: Well, if you 15 need a break, we can take a break. Why 16 don't we take like -- can we do -- I don't 17 know how easy it is to get lunch where you 18 guys are. It's quite easy for me. The 19 kitchen is downstairs. So do you want to 20 do like a 45-minute lunch break; is that 21 enough time? 22 MR. COCKRELL: Yeah, we can 23 try it. I think we can do it.</p>

42 (Pages 165 to 168)

<p style="text-align: right;">Page 169</p> <p>1 VIDEOGRAPHER: We're off the</p> <p>2 record at 12:01 p m.</p> <p>3 (Lunch recess was taken.)</p> <p>4 VIDEOGRAPHER: We're back on</p> <p>5 the record at 12:53 p.m.</p> <p>6 Q. Okay. I had -- Nancy has been</p> <p>7 kind enough to hand you Exhibit 29, which</p> <p>8 is the transcript of your interview with</p> <p>9 Megan Rondini. You can -- I'm sure you've</p> <p>10 seen it before. You were there.</p> <p>11 If you take a few seconds to flip</p> <p>12 through the pages, but I'm just going to</p> <p>13 ask you a couple questions about the</p> <p>14 transcript, if that's okay.</p> <p>15 All right. So if you would turn</p> <p>16 to page seven please. Line 15. Do you</p> <p>17 see the numbers on the side of the page?</p> <p>18 A. Yes.</p> <p>19 Q. Line 15, you said to Megan, you</p> <p>20 decided to leave Innisfree, and she said,</p> <p>21 I don't really remember actually leaving</p> <p>22 Innisfree because I would have left with</p> <p>23 my friends who were going to drive me</p>	<p style="text-align: right;">Page 170</p> <p>1 home, Sammie and the other girl they were</p> <p>2 DD for us. I don't remember leaving, but</p> <p>3 I do remember like in the car with him on</p> <p>4 the road, like in the backseat.</p> <p>5 Do you see that?</p> <p>6 A. Yes.</p> <p>7 Q. And then again if you look page 10</p> <p>8 you say to her, page 10 line 1, is you.</p> <p>9 You say do you remember making any turns.</p> <p>10 And she responds, I could not tell you how</p> <p>11 to get there for the life of me.</p> <p>12 Do you see that?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. So in this interview Megan</p> <p>15 is again telling you that she has</p> <p>16 absolutely no memory of how she got to</p> <p>17 T. J. Bunn's apartment. What did you</p> <p>18 think about that at the time -- house.</p> <p>19 What did you think about that at the time?</p> <p>20 A. Really, just, you know, she said</p> <p>21 she did have some stuff to drink. You</p> <p>22 know, I don't know if it was liquor or</p> <p>23 beer. I can't remember that anyway.</p>
<p style="text-align: right;">Page 171</p> <p>1 But, you know, she had made the</p> <p>2 statement that she didn't feel like she</p> <p>3 had been drugged or something to that</p> <p>4 effect, so, you know, I thought it was</p> <p>5 alcohol that may have caused the memory.</p> <p>6 Q. Didn't you want to figure out what</p> <p>7 had happened to her during that period of</p> <p>8 time when she forgets -- she leaves</p> <p>9 Innisfree and ends up in Bunn's car?</p> <p>10 Weren't you interested in what happened</p> <p>11 then?</p> <p>12 A. Yes.</p> <p>13 Q. What did you do to try to figure</p> <p>14 that out?</p> <p>15 A. Well, that's, you know, when we</p> <p>16 tried to -- asked for consent to, you</p> <p>17 know, look at her phone to look under the</p> <p>18 GPS app, or, you know, whatever to try to</p> <p>19 figure out the route that she went and</p> <p>20 where he may have possibly picked her up,</p> <p>21 if you could figure that out.</p> <p>22 Q. Doesn't it make you think maybe</p> <p>23 there's something bad happened to this</p>	<p style="text-align: right;">Page 172</p> <p>1 girl, she can't remember what's happening</p> <p>2 in this time period. Maybe she was</p> <p>3 drugged, maybe something happened to her?</p> <p>4 Did you have any thoughts like that?</p> <p>5 MR. COCKRELL: Object to the</p> <p>6 form.</p> <p>7 A. I mean, it's possible, but, you</p> <p>8 know, there again, she drank alcohol, and</p> <p>9 I know alcohol does cause some memory</p> <p>10 loss.</p> <p>11 Q. (By Ms. Bolger) All right. Will</p> <p>12 you turn to page 12? You say, if you</p> <p>13 start at line 7, you say did he say</p> <p>14 anything to you, TJ or Jason, did anybody</p> <p>15 say anything as y'all were walking into</p> <p>16 the house from the car?</p> <p>17 Megan responds no, he just took me</p> <p>18 into like a big room or whatever. I mean,</p> <p>19 I don't really remember any memorable</p> <p>20 conversations that we had.</p> <p>21 You say okay, did you see them on</p> <p>22 the phone with anybody. And Megan says</p> <p>23 no. You say I, and she says actually he</p>

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<p>1 was texting someone, but I'm not sure who</p> <p>2 he was texting.</p> <p>3 Do you see that?</p> <p>4 A. Yes.</p> <p>5 Q. Did you ever dump T. J. Bunn's</p> <p>6 phone?</p> <p>7 A. No.</p> <p>8 Q. Why not?</p> <p>9 A. Well, he didn't ever have any gaps</p> <p>10 in his memory that he let onto us. That</p> <p>11 was the main thing.</p> <p>12 Q. This is a suspect in a crime;</p> <p>13 right? You're not just looking to fill in</p> <p>14 his memory gaps. You're looking to see if</p> <p>15 he engages in behavior that he doesn't</p> <p>16 want to tell you about; right?</p> <p>17 A. Right.</p> <p>18 Q. Right. So if he's texting someone</p> <p>19 just a few minutes before he goes upstairs</p> <p>20 and allegedly sexually assaults them,</p> <p>21 don't you want to know what he's saying in</p> <p>22 those texts?</p> <p>23 A. I mean, I don't know how pertinent</p>	<p>1 it is at this point -- I mean at that</p> <p>2 point right there.</p> <p>3 Q. Well, I mean, you already know</p> <p>4 that this guy has lied to you about having</p> <p>5 a woman over at his house, right, you know</p> <p>6 that before you have this interview;</p> <p>7 right?</p> <p>8 A. Yes.</p> <p>9 Q. And you already know that he shut</p> <p>10 the window, right, while you're in the</p> <p>11 house; right?</p> <p>12 A. Yes, yes.</p> <p>13 Q. And you've already left him alone</p> <p>14 in the house for 15 minutes by himself;</p> <p>15 right?</p> <p>16 A. Yes.</p> <p>17 Q. Right. And so you have reason to</p> <p>18 be suspicious of the guy at this point;</p> <p>19 right?</p> <p>20 A. Yes.</p> <p>21 Q. But it never occurs to you to see</p> <p>22 who he's texting minutes before he</p> <p>23 allegedly rapes this woman?</p>
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<p>1 A. You know, there again, if it gets</p> <p>2 to -- at this point in the interview</p> <p>3 there's still no elements of a crime.</p> <p>4 We've still got to build this case.</p> <p>5 Q. Well, a good way to build the case</p> <p>6 would be what the suspect was saying to</p> <p>7 his friends; right?</p> <p>8 A. It would be, but, you know, he's</p> <p>9 asked for his attorney to be present.</p> <p>10 Q. You're about to dump Megan's</p> <p>11 entire phone, you're going to get</p> <p>12 everything you can from Megan, but it</p> <p>13 doesn't even occur to you to ask about the</p> <p>14 suspect?</p> <p>15 A. Well, I didn't interview the</p> <p>16 suspect.</p> <p>17 Q. Well, did anybody ever say we</p> <p>18 should dump his phone?</p> <p>19 A. I don't remember.</p> <p>20 Q. Did you ever say it?</p> <p>21 A. I don't remember.</p> <p>22 Q. Do you remember ever asking his</p> <p>23 attorney to do it?</p>	<p>1 A. No, I don't remember.</p> <p>2 Q. Did it ever occur to you that you</p> <p>3 might want to look at the text he was</p> <p>4 sending ten minutes before he allegedly</p> <p>5 raped someone?</p> <p>6 A. I mean, I didn't ask him to -- ask</p> <p>7 him to download his phone.</p> <p>8 Q. Right. I'm asking you did it ever</p> <p>9 even occur to you to ask him what he was</p> <p>10 texting to people 10 minutes before he</p> <p>11 allegedly raped someone?</p> <p>12 A. I didn't interview him.</p> <p>13 Q. The girl can't remember anything</p> <p>14 that's happened to her for the last hour,</p> <p>15 this guy he's been with her, he's sending</p> <p>16 text messages and you didn't even ask him</p> <p>17 about them; right?</p> <p>18 MR. COCKRELL: Object to the</p> <p>19 form. He's already answered the question.</p> <p>20 A. I didn't talk to him.</p> <p>21 Q. (By Ms. Bolger) But you didn't</p> <p>22 call Investigator Hastings and say dump</p> <p>23 his phone, did you?</p>

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<p>1 A. No.</p> <p>2 Q. Did you tell Investigator Hastings</p> <p>3 that he was texting someone 10 minutes</p> <p>4 before he allegedly assaulted her?</p> <p>5 A. Not that I remember.</p> <p>6 Q. So you do nothing about the fact</p> <p>7 that the suspect is allegedly texting</p> <p>8 people after he's gotten this woman to his</p> <p>9 house in a way that she cannot remember</p> <p>10 and ten minutes before he allegedly rapes</p> <p>11 her? You didn't even pass that along to</p> <p>12 Investigator Hastings?</p> <p>13 A. Not that I remember.</p> <p>14 Q. Okay. You testified that during</p> <p>15 this interview was the first time that</p> <p>16 Megan told you that she had taken a gun</p> <p>17 out of Mr. Bunn's car; correct?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. Was Megan telling you that</p> <p>20 the first time you heard that?</p> <p>21 A. I can't remember if I had heard it</p> <p>22 from an investigator that he was -- that</p> <p>23 Bunn was looking around and saw that a gun</p>	<p>1 was missing.</p> <p>2 That conversation came up, but I</p> <p>3 don't remember if it was before I had</p> <p>4 asked her or before she told me this, or I</p> <p>5 just can't remember the sequence of the</p> <p>6 events on that.</p> <p>7 Q. So you just don't remember if you</p> <p>8 knew before she said it?</p> <p>9 A. That's what I'm saying I don't</p> <p>10 remember if I knew it then or if she told</p> <p>11 me and that's when I found out.</p> <p>12 Q. Okay. And she actually</p> <p>13 volunteered the information about the gun;</p> <p>14 right?</p> <p>15 MR. COCKRELL: Object to the</p> <p>16 form.</p> <p>17 You can answer the question.</p> <p>18 Q. (By Ms. Bolger) If you turn to</p> <p>19 page 24. You ask at line 8. You say, do</p> <p>20 you remember taking anything else thinking</p> <p>21 that it might have been yours.</p> <p>22 And Megan responds I didn't --</p> <p>23 okay, I didn't tell you this earlier, but</p>
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<p>1 I remembered it when I was sitting down,</p> <p>2 when I went to go look for my keys in the</p> <p>3 Mercedes there was like a pocket pistol or</p> <p>4 whatever, and I just put it in my shorts</p> <p>5 for myself and then waited on the road.</p> <p>6 But when my friends picked me up,</p> <p>7 I -- it is in the grass like in front of</p> <p>8 his house, like I just put it back on the</p> <p>9 ground.</p> <p>10 Do you see that?</p> <p>11 A. Yes.</p> <p>12 Q. So she volunteered the</p> <p>13 information; right?</p> <p>14 A. I think I did know that</p> <p>15 information before this. I think I know</p> <p>16 that the gun was missing anyways before</p> <p>17 this.</p> <p>18 Q. Okay, but that's not my question.</p> <p>19 My question is she actually volunteered</p> <p>20 the information, you didn't ask her the</p> <p>21 questions, she --</p> <p>22 A. Yes.</p> <p>23 Q. -- volunteered the information;</p>	<p>1 correct?</p> <p>2 A. Yes.</p> <p>3 Q. Okay, great. And then you got up</p> <p>4 and left the room; correct?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. And you left the room</p> <p>7 because you were afraid there was a gun on</p> <p>8 the side of the road and you wanted</p> <p>9 someone to pick up the gun; correct?</p> <p>10 A. Yes, yes.</p> <p>11 Q. So what did you do when left the</p> <p>12 room?</p> <p>13 A. I tried -- I'm sure I asked who</p> <p>14 was out on the scene. I can't remember</p> <p>15 who was in the office, but we got in</p> <p>16 contact with some investigators that were</p> <p>17 out at the Bunn residence and told them to</p> <p>18 look on the side of the road for this gun.</p> <p>19 Q. Did you exchange any other</p> <p>20 information with the investigators at the</p> <p>21 Bunn house before you interviewed Megan or</p> <p>22 during the interview with Megan?</p> <p>23 A. I don't remember.</p>

45 (Pages 177 to 180)

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<p>1 Q. Before Megan came into the office</p> <p>2 had you spoken to Captain Hood about her?</p> <p>3 A. I don't remember a conversation</p> <p>4 per se, but I may have just let them know</p> <p>5 that she was coming to the office to be</p> <p>6 interviewed.</p> <p>7 Q. Well, they wouldn't have known who</p> <p>8 she was, right, without context, so what</p> <p>9 by that point had you told them -- like if</p> <p>10 you had just said to them, hey, Megan</p> <p>11 Rondini is coming in, they wouldn't have</p> <p>12 known anything about it; right? It would</p> <p>13 just be a name. So what had you told them</p> <p>14 before Megan came in?</p> <p>15 A. I don't remember exactly what I</p> <p>16 told them.</p> <p>17 Q. What about Captain Hart?</p> <p>18 A. I don't remember what I told them.</p> <p>19 Q. Did Captain Hood look in on the</p> <p>20 interview?</p> <p>21 A. He was at some point, yes. I</p> <p>22 don't know what parts of the interview he</p> <p>23 saw, but he was watching the interview at</p>	<p>1 some point.</p> <p>2 Q. How did that come to pass?</p> <p>3 A. He was just sitting in the</p> <p>4 conference room that has a direct feed to</p> <p>5 the interview rooms and he was just</p> <p>6 watching -- watching the interview.</p> <p>7 Q. Right. But how did he come to be</p> <p>8 in that conference room?</p> <p>9 A. I guess he knew that there was an</p> <p>10 interview going on so he was -- he was in</p> <p>11 there watching.</p> <p>12 Q. Well, how did he know there was an</p> <p>13 interview going on?</p> <p>14 A. I don't remember.</p> <p>15 Q. Did he sit in on all of your</p> <p>16 interviews?</p> <p>17 A. It was common for supervisors and</p> <p>18 investigators to sit in on cases.</p> <p>19 Q. So Captain Hood commonly sat in on</p> <p>20 your interviews?</p> <p>21 A. Not on all interviews, but it was</p> <p>22 common for a supervisor or another</p> <p>23 investigator or somebody to sit in and</p>
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<p>1 just watch the interview?</p> <p>2 Q. How many times before this had</p> <p>3 Captain Hood sat in on interviews you did?</p> <p>4 A. I don't know. I know he had</p> <p>5 watched some, but I don't know how many.</p> <p>6 Q. Well, five or more than five?</p> <p>7 A. I don't know.</p> <p>8 Q. Less than five?</p> <p>9 A. I don't know.</p> <p>10 Q. Well, you can't think in your head</p> <p>11 how many -- you can't remember if it was</p> <p>12 five or ten?</p> <p>13 A. Well, I mean there may have been</p> <p>14 times that he was in the back watching the</p> <p>15 interview, I was in the interview room so</p> <p>16 I don't know if he's in there or not, so I</p> <p>17 mean I'm just saying I don't know how many</p> <p>18 -- I don't know how many --</p> <p>19 Q. You knew this time; right?</p> <p>20 A. I knew --</p> <p>21 Q. You just told me that.</p> <p>22 A. -- I knew that there were people</p> <p>23 watching the interview.</p>	<p>1 Q. Okay. And you knew Hood was there</p> <p>2 because you just told me he was there.</p> <p>3 A. You said he was there. I'm</p> <p>4 assuming that --</p> <p>5 MR. COCKRELL: Don't assume.</p> <p>6 If you know if he's there --</p> <p>7 Q. (By Ms. Bolger) I said did Captain</p> <p>8 Hood watch the interview and you said yes,</p> <p>9 so that's what happened.</p> <p>10 MR. COCKRELL: Object to the</p> <p>11 form.</p> <p>12 A. I don't -- I don't know who all</p> <p>13 was back there watching.</p> <p>14 Q. (By Ms. Bolger) Okay. How did the</p> <p>15 people watching get in the conference room</p> <p>16 to watch? Who told them to come to that</p> <p>17 conference room to watch?</p> <p>18 A. Well, the unit was tied up with</p> <p>19 this case, so at the time that happened to</p> <p>20 be the only thing, only case active so</p> <p>21 they knew our victim was in the interview</p> <p>22 room, so anybody that was there could have</p> <p>23 watched the interview.</p>

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<p>1 Q. This was the only case that was</p> <p>2 active in Tuscaloosa homicide on July 5th?</p> <p>3 A. Right. When I say active I'm</p> <p>4 talking about recently occurred.</p> <p>5 Q. So the only crime that happened</p> <p>6 that the Homicide Unit investigated on</p> <p>7 July 2nd, 2015, was this one?</p> <p>8 A. As far as --</p> <p>9 Q. I'm sorry, go ahead.</p> <p>10 MR. COCKRELL: Let's break</p> <p>11 that down. Let's ask questions and you</p> <p>12 give her a chance to finish her question</p> <p>13 and then you listen to it and then answer</p> <p>14 it if you know.</p> <p>15 Q. (By Ms. Bolger) This was the only</p> <p>16 crime that happened on July 2nd, 2015 that</p> <p>17 the Homicide Unit investigated; that's</p> <p>18 your testimony?</p> <p>19 A. I don't know that.</p> <p>20 Q. Did Mr. Hart -- Captain Hart</p> <p>21 listen in on the interview?</p> <p>22 A. No, I don't know.</p> <p>23 Q. When you were doing the interview</p>	<p>1 with Ms. Rondini, were you talking to</p> <p>2 anybody about the interview? In other</p> <p>3 words, were you stepping out and talking</p> <p>4 to someone?</p> <p>5 A. The only time I remember is the</p> <p>6 gun and seems like there was one other</p> <p>7 time I stepped out, but I can't remember</p> <p>8 if words were exchanged with anybody.</p> <p>9 Q. When you stepped out to handle the</p> <p>10 gun situation, did you talk to anybody</p> <p>11 while you were out of the room?</p> <p>12 A. I don't remember.</p> <p>13 Q. If you turn to page 37, if you</p> <p>14 start in the middle of the page at 10, you</p> <p>15 say when we talked to T. J., he said that</p> <p>16 you were actually walking on University</p> <p>17 Boulevard, not in the street but on the</p> <p>18 sidewalk.</p> <p>19 Do you see that?</p> <p>20 A. Yes.</p> <p>21 Q. So does this refresh your</p> <p>22 recollection that someone had told you</p> <p>23 that before you went into interview Megan?</p>
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<p>1 A. I don't -- I don't know who would</p> <p>2 have told me that. I'm not -- you know,</p> <p>3 obviously I said that, but I don't know</p> <p>4 who told me that.</p> <p>5 Q. Did you talk to Investigator</p> <p>6 Hastings?</p> <p>7 A. I don't remember.</p> <p>8 Q. Did you talk to Captain Hood or</p> <p>9 Captain Hart about it?</p> <p>10 A. I don't remember.</p> <p>11 Q. Is there someone other than</p> <p>12 Investigator Hastings who would have given</p> <p>13 you this information?</p> <p>14 A. It could have been any</p> <p>15 investigator on the scene.</p> <p>16 Q. How did you communicate with them?</p> <p>17 A. By the LINC radio.</p> <p>18 Q. You didn't have the LINC in the</p> <p>19 room with you when you were interviewing</p> <p>20 Megan; it was outside the door, right?</p> <p>21 A. Yes.</p> <p>22 Q. So you say when we talked to T.</p> <p>23 J., he said that you were actually walking</p>	<p>1 on University Boulevard, not in the street</p> <p>2 but on the sidewalk.</p> <p>3 And she says, I just don't think</p> <p>4 that would happen because I already had</p> <p>5 friends that were going to take me home.</p> <p>6 And then you turn to the next page on 38,</p> <p>7 and line 11, and it says, so if I say that</p> <p>8 y'all stopped by your apartment before you</p> <p>9 went to T. J.'s or Sweet T's before you</p> <p>10 went there -- okay, because they have --</p> <p>11 your complex has got video there?</p> <p>12 You say do you remember. And she</p> <p>13 says I do not remember going there.</p> <p>14 Do you see that?</p> <p>15 A. Yes.</p> <p>16 Q. And then at the bottom of the page</p> <p>17 you say, do you remember fixing them a</p> <p>18 drink. And she says no, sir, I don't</p> <p>19 remember being there at all, like, I don't</p> <p>20 remember being there.</p> <p>21 Do you see that?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. And at the end of the page</p>

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<p>1 at line 18 you say, is any of this</p> <p>2 bringing back anything, and she says, I</p> <p>3 feel like I'm going to like throw up.</p> <p>4 Do you see that?</p> <p>5 A. Yes.</p> <p>6 Q. So this is the first time Megan</p> <p>7 has heard that she went back to her</p> <p>8 apartment with T. J. Bunn; right?</p> <p>9 A. Yes.</p> <p>10 Q. And it makes her feel like she's</p> <p>11 going to throw up; right?</p> <p>12 A. That's what she said.</p> <p>13 Q. Right. Did you disbelieve her</p> <p>14 that this was the first time she heard</p> <p>15 this?</p> <p>16 A. No.</p> <p>17 Q. So she's blacked out long enough</p> <p>18 that she gets in the car with a guy she</p> <p>19 barely knows, goes to his house, takes a</p> <p>20 drink and gets back in the car and goes</p> <p>21 back to his house. Are you thinking maybe</p> <p>22 she's drugged?</p> <p>23 MR. COCKRELL: Object to the</p>	<p>1 form.</p> <p>2 A. She said that she wasn't drugged</p> <p>3 -- she didn't feel like she was on any</p> <p>4 drugs.</p> <p>5 Q. (By Ms. Bolger) I understand that</p> <p>6 she didn't feel like she was drugged, but</p> <p>7 people can be drugged without their</p> <p>8 knowledge. Did it occur to you to ask her</p> <p>9 was there an opportunity for someone to</p> <p>10 drug you?</p> <p>11 A. Well, with her statement saying</p> <p>12 that she poured her own drinks that night</p> <p>13 and she was always in the company of her</p> <p>14 friends, she didn't feel like she was</p> <p>15 drugged.</p> <p>16 Q. Right, I understand. I understand</p> <p>17 that she was -- she didn't tell you she</p> <p>18 thought she was drugged. I'm asking you</p> <p>19 as someone who investigates crimes,</p> <p>20 doesn't this sound like somebody who's</p> <p>21 been incapacitated and maybe you should</p> <p>22 have thought we should see if she was</p> <p>23 drugged?</p>
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<p>1 MR. COCKRELL: Object to the</p> <p>2 form.</p> <p>3 THE WITNESS: I was going to</p> <p>4 say it froze up.</p> <p>5 A. It froze up for a second. I'm</p> <p>6 sorry.</p> <p>7 Q. (By Ms. Bolger) I'm sorry you</p> <p>8 froze up telling me it was froze up, so</p> <p>9 that's why we're talking past each other.</p> <p>10 I'm wondering, I understand she</p> <p>11 said she wasn't drugged, but why doesn't</p> <p>12 this behavior make you think -- the things</p> <p>13 that she's telling you make you think, oh,</p> <p>14 my God, I wonder if she's drugged, we</p> <p>15 ought to investigate that?</p> <p>16 MR. COCKRELL: Object to the</p> <p>17 form.</p> <p>18 A. There again, alcohol can do that</p> <p>19 also.</p> <p>20 Q. (By Ms. Bolger) If she was</p> <p>21 intoxicated could she have consented to</p> <p>22 sex?</p> <p>23 A. I don't know that she was</p>	<p>1 intoxicated.</p> <p>2 Q. Well, you're telling me you don't</p> <p>3 think she was drugged, she might have been</p> <p>4 drunk, but now you're saying she might not</p> <p>5 have been drunk.</p> <p>6 My question is did you not just</p> <p>7 not believe her that she didn't remember</p> <p>8 huge portions of time?</p> <p>9 MR. COCKRELL: Object to the</p> <p>10 form.</p> <p>11 A. I believed what she was telling</p> <p>12 me.</p> <p>13 Q. (By Ms. Bolger) It just didn't</p> <p>14 matter to you that she was completely</p> <p>15 unable to remember hours of time before</p> <p>16 she alleged that she was raped?</p> <p>17 A. I'm just saying that alcohol can</p> <p>18 cause memory loss like that in my</p> <p>19 experience --</p> <p>20 Q. Alcohol can cause people not to</p> <p>21 consent to sex; right?</p> <p>22 A. What did you say?</p> <p>23 MR. COCKRELL: Repeat the</p>

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<p style="text-align: right;">Page 193</p> <p>1 question.</p> <p>2 Q. (By Ms. Bolger) I'm sorry, guys.</p> <p>3 The sound is cutting off, so if someone is</p> <p>4 saying something to me, I actually don't</p> <p>5 know what they said so let's just take a</p> <p>6 minute.</p> <p>7 MR. COCKRELL: We couldn't</p> <p>8 hear your question, Kate, so if you could</p> <p>9 repeat it.</p> <p>10 MS. BOLGER: I'm sorry, Bob,</p> <p>11 all I heard is can you repeat it so I'm</p> <p>12 sorry, I'm just going to repeat a</p> <p>13 question.</p> <p>14 Q. What I'm going -- I don't even</p> <p>15 remember what I was saying.</p> <p>16 MS. BOLGER: Nancy, did you</p> <p>17 get the question at all? No, okay.</p> <p>18 COURT REPORTER: Hold on.</p> <p>19 (Whereupon, requested portion was</p> <p>20 read back by court reporter.)</p> <p>21 A. It can.</p> <p>22 Q. (By Ms. Bolger) Yes, so someone</p> <p>23 can be raped because they lack capacity;</p>	<p style="text-align: right;">Page 194</p> <p>1 right?</p> <p>2 A. Right.</p> <p>3 Q. So wouldn't you be interested in</p> <p>4 the fact that she has a huge amount of</p> <p>5 memory loss the ten minutes before she has</p> <p>6 sex with somebody?</p> <p>7 A. Well, she remembered details about</p> <p>8 the sexual encounter.</p> <p>9 Q. Well, I mean couldn't that mean</p> <p>10 she's just coming in and out of</p> <p>11 consciousness?</p> <p>12 MR. COCKRELL: Object to the</p> <p>13 form.</p> <p>14 A. I can't speak to her state of</p> <p>15 mind. I'm just going by her statement.</p> <p>16 Q. (By Ms. Bolger) Don't you sort of</p> <p>17 have to speak to her state of mind?</p> <p>18 You're investigating allegations that she</p> <p>19 made that she was held down and raped by a</p> <p>20 guy who took her to a house in the woods</p> <p>21 and took her phone away. Don't you have</p> <p>22 to figure out what happened to you?</p> <p>23 MR. COCKRELL: Object to the</p>
<p style="text-align: right;">Page 195</p> <p>1 form.</p> <p>2 Q. (By Ms. Bolger) Isn't that your</p> <p>3 job?</p> <p>4 MR. COCKRELL: Object to the</p> <p>5 form.</p> <p>6 A. Yes, we're trying to figure out</p> <p>7 what happened to her.</p> <p>8 Q. (By Ms. Bolger) But you're just</p> <p>9 taking it on faith that she forgot several</p> <p>10 hours without doing any toxicology or</p> <p>11 asking any other questions about it?</p> <p>12 MR. COCKRELL: Object to the</p> <p>13 form.</p> <p>14 A. Once she leaves the hospital as</p> <p>15 far as her toxicology and urine, I don't</p> <p>16 have any control over that. That was</p> <p>17 between her and the doctor there.</p> <p>18 Q. (By Ms. Bolger) At this point, did</p> <p>19 you think she was lying to you?</p> <p>20 A. I believed what she was saying.</p> <p>21 Q. When you called about the gun,</p> <p>22 what did you say to the people you were</p> <p>23 talking to?</p>	<p style="text-align: right;">Page 196</p> <p>1 A. I don't remember exactly what I</p> <p>2 said. It was where she -- the directions</p> <p>3 of where she told me that she left it.</p> <p>4 Q. What did you say? Did you say I</p> <p>5 know where the gun that's missing is or</p> <p>6 did you say, oh, my God, she left a gun on</p> <p>7 the grass? What did you say?</p> <p>8 A. I don't remember. I don't</p> <p>9 remember the wording that I used.</p> <p>10 Q. Did you think she had done</p> <p>11 something wrong already when you called</p> <p>12 about the gun?</p> <p>13 A. No.</p> <p>14 Q. That's not theft?</p> <p>15 A. Well, it is, but, you know, in her</p> <p>16 mind she had a reason for doing what she</p> <p>17 did, you know, as far as why she took the</p> <p>18 gun.</p> <p>19 Q. Right. But I thought you said you</p> <p>20 couldn't tell me what was in her mind, so</p> <p>21 why did you think it wasn't a theft that</p> <p>22 she took the gun?</p> <p>23 MR. COCKRELL: I lost that</p>

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<p style="text-align: right;">Page 197</p> <p>1 last question.</p> <p>2 Q. (By Ms. Bolger) Why do you think</p> <p>3 it wasn't a theft that she took the gun?</p> <p>4 MR. COCKRELL: Object to the</p> <p>5 form.</p> <p>6 A. Yes, she took a gun. Yes, it's</p> <p>7 theft, but, you know, I'm -- I believe her</p> <p>8 to everything that she's telling me, you</p> <p>9 know, and she's got a reason why she did</p> <p>10 that.</p> <p>11 Q. You're welcome to look through it</p> <p>12 or look in the word index, but in this</p> <p>13 entire interview you never ask her about</p> <p>14 her earlier statement that she was held</p> <p>15 down while having sex. Why didn't you ask</p> <p>16 that?</p> <p>17 A. I don't know.</p> <p>18 Q. And you never asked her in this</p> <p>19 why Bunn took her phone? Why didn't you</p> <p>20 ask her that?</p> <p>21 A. I don't know.</p> <p>22 Q. You did however tell her you</p> <p>23 wanted to dump her phone; correct?</p>	<p style="text-align: right;">Page 198</p> <p>1 A. Yes.</p> <p>2 Q. And we can look at it in the</p> <p>3 transcript, but just to speed it up, you</p> <p>4 tell her you want to dump the phone to try</p> <p>5 to get location information so that she</p> <p>6 knows -- you can figure out where she was.</p> <p>7 Is that, in fact, the reason you did it or</p> <p>8 was that pretextual?</p> <p>9 MR. COCKRELL: Object to the</p> <p>10 form.</p> <p>11 COURT REPORTER: I'm sorry,</p> <p>12 Kate, what was the last word?</p> <p>13 MR. THOMPSON: Pretextual.</p> <p>14 MR. COCKRELL: Can you read</p> <p>15 back the --</p> <p>16 MS. BOLGER: I'll rephrase</p> <p>17 it.</p> <p>18 Q. I'm actually asking, you told</p> <p>19 Megan that you wanted to take the phone to</p> <p>20 get location information to help fill her</p> <p>21 memory lapse. We can check that. That's</p> <p>22 what you said.</p> <p>23 A. Uh-huh (affirmative).</p>
<p style="text-align: right;">Page 199</p> <p>1 Q. I'm wondering if you said that</p> <p>2 because that was truthful or if you said</p> <p>3 it because you were looking for something</p> <p>4 else on the phone?</p> <p>5 I know police officers are allowed</p> <p>6 to have pretextual reasons. I'm asking</p> <p>7 you if that was a pretextual reason when</p> <p>8 you said it?</p> <p>9 A. No, the reason was to try to find</p> <p>10 the GPS location of where she was or where</p> <p>11 she walked.</p> <p>12 Q. Okay. So she eventually signed</p> <p>13 the consent form and you-all dumped her</p> <p>14 phone; right?</p> <p>15 A. Yes.</p> <p>16 Q. I'm going to close the door so my</p> <p>17 children don't hear this. Hold on.</p> <p>18 Everybody's back. Sorry.</p> <p>19 And what did you do when you took</p> <p>20 the phone to go dump the phone?</p> <p>21 A. I just -- I got her to sign a</p> <p>22 consent form and took the phone to Scotty</p> <p>23 Rogers.</p>	<p style="text-align: right;">Page 200</p> <p>1 Q. And who is Scotty Rogers?</p> <p>2 A. He is the forensic examiner for</p> <p>3 the sheriff's office, does all the</p> <p>4 electronic forensics.</p> <p>5 Q. Okay. And you gave him the phone</p> <p>6 and he did whatever he needs to do. How</p> <p>7 quickly did you get the data back from</p> <p>8 him?</p> <p>9 A. I don't remember. The data was</p> <p>10 immediately dumped. I just don't remember</p> <p>11 what time he gave it back to me.</p> <p>12 Q. How did he give it back to you?</p> <p>13 A. On a disc.</p> <p>14 Q. On like a DVD?</p> <p>15 A. Yes.</p> <p>16 Q. And did you immediately review the</p> <p>17 data on that disc?</p> <p>18 A. No.</p> <p>19 Q. When did you view the data on that</p> <p>20 disc?</p> <p>21 A. I don't remember.</p> <p>22 Q. That day?</p> <p>23 A. Probably not that day.</p>

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<p>1 Q. Within a week?</p> <p>2 A. Probably so.</p> <p>3 Q. But you didn't review it the day</p> <p>4 Megan was in the office?</p> <p>5 A. Right, no.</p> <p>6 Q. What data did you review first on</p> <p>7 that disc?</p> <p>8 A. I don't remember.</p> <p>9 Q. Is the data on that disc</p> <p>10 searchable by -- was the data on that disc</p> <p>11 searchable or do you just have to sort of</p> <p>12 scroll through it?</p> <p>13 A. It is searchable.</p> <p>14 Q. It's like keyword searchable?</p> <p>15 A. Yes.</p> <p>16 Q. Did you keyword search anything on</p> <p>17 that disc at any point?</p> <p>18 A. I don't remember.</p> <p>19 Q. Did you put in any searches to</p> <p>20 find things on the disc at any point?</p> <p>21 A. I don't remember because I don't</p> <p>22 know if I was actually the one that looked</p> <p>23 at the disc.</p>	<p>1 Q. Who do you think looked at the</p> <p>2 disc?</p> <p>3 A. I don't remember that. I don't</p> <p>4 remember.</p> <p>5 Q. So you don't remember when you</p> <p>6 looked at the data on the disc, you don't</p> <p>7 remember if you looked at the data on the</p> <p>8 disc, and you don't remember who looked at</p> <p>9 the data on the disc --</p> <p>10 A. Right.</p> <p>11 Q. -- correct?</p> <p>12 A. Right.</p> <p>13 Q. But you know you didn't do it on</p> <p>14 July 2nd?</p> <p>15 A. Right.</p> <p>16 Q. Okay. So after this first</p> <p>17 interview with Ms. Rondini, you went to</p> <p>18 her apartment; right?</p> <p>19 A. Yes.</p> <p>20 Q. I have been informed that Jason</p> <p>21 Wilson from the DA's office came and</p> <p>22 watched this Rondini interview; correct?</p> <p>23 A. Yes.</p>
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<p>1 Q. How did it come to pass that</p> <p>2 Mr. Wilson was there?</p> <p>3 A. I don't know who called him over.</p> <p>4 Q. So you don't know?</p> <p>5 A. I don't know.</p> <p>6 Q. Is it commonplace for district</p> <p>7 attorneys to come over to watch an</p> <p>8 investigation?</p> <p>9 A. Yes.</p> <p>10 Q. And what is the general protocol</p> <p>11 for that happening? Who generally makes</p> <p>12 that call?</p> <p>13 A. It could be an investigator or a</p> <p>14 supervisor. I mean, it could be anybody</p> <p>15 that calls.</p> <p>16 Q. And you don't know who made the</p> <p>17 call here?</p> <p>18 A. I don't.</p> <p>19 Q. Did you speak to Mr. Wilson at all</p> <p>20 after this first interview before you went</p> <p>21 to the apartment building?</p> <p>22 A. I don't remember.</p> <p>23 Q. Did you speak to Captain Hood</p>	<p>1 before you went to the apartment building?</p> <p>2 A. I don't remember.</p> <p>3 Q. How about Captain Hart?</p> <p>4 A. I don't remember.</p> <p>5 Q. Okay. Did you at any point speak</p> <p>6 to Jason Wilson about Megan Rondini --</p> <p>7 about your interviews with Megan Rondini?</p> <p>8 A. No, I didn't.</p> <p>9 Q. Not a -- this is not a spoiler</p> <p>10 alert. We all know this happened. At</p> <p>11 some point you Mirandized Ms. Rondini.</p> <p>12 Did you speak to Mr. Wilson before you</p> <p>13 Mirandized Ms. Rondini?</p> <p>14 A. I don't remember speaking directly</p> <p>15 to him. I remember one of the supervisors</p> <p>16 I believe he was in the room. They were</p> <p>17 in the conference room, and they thought</p> <p>18 it would be best if we Mirandized her.</p> <p>19 Q. Okay. And I didn't quite</p> <p>20 understand that answer so I'm going to ask</p> <p>21 you to go through it slow with me.</p> <p>22 So you were in a room with</p> <p>23 Mr. Wilson and a supervisor?</p>

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<p>1 A. Well, it was in the conference --</p> <p>2 it was a common room. It's not a closed</p> <p>3 office or anything. It was in the</p> <p>4 conference room where they were watching</p> <p>5 the interview and they -- they were</p> <p>6 already talking and thought that she</p> <p>7 should be read Miranda.</p> <p>8 Q. Okay. Who is they?</p> <p>9 A. I believe -- I can't remember the</p> <p>10 supervisor that said it. I believe it was</p> <p>11 Captain Hood and Jason Wilson.</p> <p>12 Q. I didn't understand that answer so</p> <p>13 it was Captain Hood speaking to Wilson and</p> <p>14 they had decided that Megan needed to be</p> <p>15 Mirandized; is that what you're telling</p> <p>16 me?</p> <p>17 A. I don't remember. I'm not -- I</p> <p>18 don't want to say for sure. I don't</p> <p>19 remember how that conversation went down.</p> <p>20 I know that it was a supervisor</p> <p>21 that thought we needed to read her Miranda</p> <p>22 and I don't remember which supervisor it</p> <p>23 was.</p>	<p>1 Q. How many different supervisors</p> <p>2 could it have been?</p> <p>3 A. Captain Hood, Captain Hart. I</p> <p>4 can't remember if any of the sergeants</p> <p>5 were in the office at that time or not.</p> <p>6 Q. So you began this deposition by</p> <p>7 telling me how dramatic the BuzzFeed</p> <p>8 article was and how much it affected your</p> <p>9 life; right?</p> <p>10 A. Yes.</p> <p>11 Q. And you're seeking \$10 million of</p> <p>12 damages in this lawsuit; right? Right?</p> <p>13 A. I don't know the dollar amount.</p> <p>14 Q. Well, it's \$10 million. I can</p> <p>15 read it to you or you can take my word for</p> <p>16 it. And the Megan Rondini investigation</p> <p>17 and the article about it were a pretty big</p> <p>18 deal in your life; right?</p> <p>19 A. Yes.</p> <p>20 Q. But you can't tell me who the</p> <p>21 supervisor was who told you to Mirandize</p> <p>22 her?</p> <p>23 A. I'm saying I don't remember.</p>
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<p>1 Q. Another one of your colleagues</p> <p>2 testified the attorney general's office</p> <p>3 faulted you for Mirandizing her and said</p> <p>4 it should have been done by another</p> <p>5 deputy, another investigator; is that</p> <p>6 true?</p> <p>7 MR. COCKRELL: Object to the</p> <p>8 form.</p> <p>9 A. I have not seen the attorney</p> <p>10 general's office's report.</p> <p>11 Q. (By Ms. Bolger) You've never heard</p> <p>12 that someone else other than you should</p> <p>13 have Mirandized her?</p> <p>14 MR. COCKRELL: Object to the</p> <p>15 form.</p> <p>16 A. I have not.</p> <p>17 Q. (By Ms. Bolger) The decision to</p> <p>18 Mirandize someone who walks in and says</p> <p>19 that she's been sexually assaulted is a</p> <p>20 pretty significant decision; right?</p> <p>21 A. Yes.</p> <p>22 Q. But you don't remember who told</p> <p>23 you to do it?</p>	<p>1 MR. COCKRELL: I believe</p> <p>2 he's already answered it time and time --</p> <p>3 at least three times -- two times.</p> <p>4 Q. (By Ms. Bolger) I tell you,</p> <p>5 Investigator Jones, I find that really</p> <p>6 hard to believe. How could you not</p> <p>7 remember --</p> <p>8 MR. COCKRELL: You may not</p> <p>9 believe it, but he answered the question.</p> <p>10 Q. (By Ms. Bolger) -- Mirandizing a</p> <p>11 sexual assault victim? Is it just so</p> <p>12 common that you Mirandize sexual assault</p> <p>13 victims that you can't remember who told</p> <p>14 you to do it?</p> <p>15 MR. COCKRELL: Object to the</p> <p>16 form.</p> <p>17 A. I'm saying I don't remember.</p> <p>18 Q. (By Ms. Bolger) That conversation</p> <p>19 you had with the mystery supervisor and</p> <p>20 Mr. Wilson in which they told you that</p> <p>21 they thought Ms. Rondini had to be</p> <p>22 Mirandized, was that during your first</p> <p>23 interview with Ms. Rondini or was it after</p>

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<p>1 you came back from the apartment building?</p> <p>2 A. I think it was after we came back.</p> <p>3 Q. And what was the information that</p> <p>4 led you-all to decide to Mirandize Megan</p> <p>5 Rondini?</p> <p>6 A. That she was admitting to taking a</p> <p>7 gun from a vehicle, going back into a</p> <p>8 residence, taking money from Bunn, various</p> <p>9 crimes that, you know, she could</p> <p>10 potentially be admitting to.</p> <p>11 Q. You Mirandized her before she</p> <p>12 talked about the cash, didn't you?</p> <p>13 A. I don't remember -- I don't</p> <p>14 remember the order that it was. If you</p> <p>15 say it was before the cash, or before she</p> <p>16 admitted that.</p> <p>17 Q. It was.</p> <p>18 A. Okay. I just don't -- I just</p> <p>19 don't remember that.</p> <p>20 Q. I'm not trying to trick you.</p> <p>21 A. Okay.</p> <p>22 Q. You Mirandized her, and I'll show</p> <p>23 you in the transcript a little bit.</p>	<p>1 A. Okay.</p> <p>2 Q. You Mirandized her before she took</p> <p>3 the cash. The only thing that she had</p> <p>4 admitted to was the gun, which you just</p> <p>5 told me five minutes ago wasn't a theft,</p> <p>6 so why did you-all Mirandize her?</p> <p>7 MR. COCKRELL: Object to the</p> <p>8 form.</p> <p>9 A. She was admitting to these things.</p> <p>10 There were -- she was about to open</p> <p>11 herself up to some possible criminal</p> <p>12 activity herself based on what Bunn had</p> <p>13 told some of the investigators out there</p> <p>14 on the scene that he was interested in</p> <p>15 prosecuting for the missing gun, for the</p> <p>16 missing cash. He also said there was a</p> <p>17 credit card I think and some keys.</p> <p>18 Q. (By Ms. Bolger) So you guys were</p> <p>19 Mirandizing her based on the fact that</p> <p>20 Bunn was saying she stole things at this</p> <p>21 point, correct, because she didn't tell</p> <p>22 you she stole things before you Mirandized</p> <p>23 her?</p>
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<p>1 (Off the record technical issues.)</p> <p>2 Q. Okay. She didn't tell you she</p> <p>3 took the cash before you Mirandized her.</p> <p>4 The only thing she told you was she had</p> <p>5 the gun. You told me you didn't think</p> <p>6 that was theft, so you-all decided to</p> <p>7 Mirandize her based on what Mr. Bunn said</p> <p>8 she had stolen; right?</p> <p>9 MR. COCKRELL: Object to the</p> <p>10 form.</p> <p>11 You can answer.</p> <p>12 A. She had admitted to the gun theft.</p> <p>13 Q. (By Ms. Bolger) You just told me</p> <p>14 that wasn't a theft.</p> <p>15 A. Well, I'm saying, and I was</p> <p>16 speaking what her mind was going through</p> <p>17 and I shouldn't have speculated what she</p> <p>18 was in her mind, but what I was trying to</p> <p>19 get to is she had a reason for taking that</p> <p>20 gun. I just needed her to tell me that,</p> <p>21 but taking the gun is a theft.</p> <p>22 It's actually a B&amp;E, breaking and</p> <p>23 entering. Going back into the house could</p>	<p>1 be considered a burglary when she took the</p> <p>2 money, so with them advising us or</p> <p>3 advising me to read her Miranda, it's</p> <p>4 actually protecting her rights. I wasn't</p> <p>5 going to put her in jail.</p> <p>6 Q. She -- you didn't Mirandize her</p> <p>7 when she told you she took the gun. You</p> <p>8 went out. You could have come back and</p> <p>9 Mirandized her, and you didn't. You only</p> <p>10 Mirandized her when you came back. It was</p> <p>11 because Bunn told you she took the money</p> <p>12 and the gun and Alabama tickets, right,</p> <p>13 that's why she got Mirandized; right?</p> <p>14 MR. COCKRELL: Object to the</p> <p>15 form, the lengthy dissertation.</p> <p>16 Go ahead.</p> <p>17 A. It was because that she had</p> <p>18 admitted to the gun. He was filing a</p> <p>19 complaint on the same thing saying that,</p> <p>20 you know, she admitted going back into the</p> <p>21 house but then she had got money and</p> <p>22 whatever else, credit card, keys, whatever</p> <p>23 he said it was, but if he's filing a</p>

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<p>1 complaint also, I'm actually protecting</p> <p>2 her rights by reading her Miranda from</p> <p>3 these charges that he's going to try to</p> <p>4 bring up against her.</p> <p>5 Q. (By Ms. Bolger) You didn't</p> <p>6 Mirandize him, though?</p> <p>7 A. I didn't talk to him.</p> <p>8 Q. He wasn't Mirandized on July 2nd,</p> <p>9 was he?</p> <p>10 A. No, I don't think so.</p> <p>11 Q. She was making some pretty serious</p> <p>12 allegations against him; right?</p> <p>13 A. You say she was making?</p> <p>14 Q. Yes.</p> <p>15 A. I just couldn't hear it. It broke</p> <p>16 up. Yes.</p> <p>17 Q. But you didn't Mirandize him;</p> <p>18 right?</p> <p>19 A. I didn't talk to him.</p> <p>20 Q. No one from the Tuscaloosa</p> <p>21 Sheriff's Office or the Homicide Unit or</p> <p>22 the Tuscaloosa Police Department</p> <p>23 Mirandized T. J. Bunn July 2nd; right?</p>	<p>1 A. Not to my knowledge.</p> <p>2 Q. When you went to Megan Rondini's</p> <p>3 house with her, can you tell me how long</p> <p>4 you guys were gone?</p> <p>5 A. Probably an hour. Probably less</p> <p>6 than an hour.</p> <p>7 Q. Was her house close to the</p> <p>8 sheriff's office?</p> <p>9 A. It's probably about a ten or</p> <p>10 15-minute drive.</p> <p>11 Q. And when you got to the house with</p> <p>12 Megan what did you-all do?</p> <p>13 A. We were just looking for her keys.</p> <p>14 We went in her apartment with her. She</p> <p>15 was just -- we just basically just let her</p> <p>16 walk through and see if she might remember</p> <p>17 where she may have left her keys.</p> <p>18 Q. And did she?</p> <p>19 A. She didn't.</p> <p>20 Q. And you looked at liquor bottles;</p> <p>21 right?</p> <p>22 A. Yes.</p> <p>23 Q. And what -- what was the point of</p>
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<p>1 doing that?</p> <p>2 A. In Bunn's statement he said that</p> <p>3 she poured them drinks after he picked her</p> <p>4 up, after she left Innisfree they went to</p> <p>5 her apartment and she poured them drinks.</p> <p>6 Q. And so you looked to see if there</p> <p>7 was less alcohol in the bottle; right?</p> <p>8 A. Well, just to see if there was any</p> <p>9 alcohol there.</p> <p>10 Q. Got you. Just trying to see if</p> <p>11 there was evidence that she poured drinks?</p> <p>12 A. Right.</p> <p>13 Q. And was there?</p> <p>14 A. There was a couple of liquor</p> <p>15 bottles on the kitchen counter and some --</p> <p>16 I believe it was dishes in the sink. I</p> <p>17 couldn't say if it -- I can't remember if</p> <p>18 it was cups, plates.</p> <p>19 Q. Okay. And did Megan seem</p> <p>20 surprised by that?</p> <p>21 A. She did.</p> <p>22 Q. What did she say?</p> <p>23 A. She just made mention that the</p>	<p>1 content of the bottles did look lower than</p> <p>2 what it was and that was her statement.</p> <p>3 Q. And she hadn't been home between</p> <p>4 reporting -- sorry, between reporting the</p> <p>5 assault and this interview; correct? This</p> <p>6 was the first time she had gone home;</p> <p>7 right?</p> <p>8 A. Yes, I believe so.</p> <p>9 Q. She was at a friend's house in the</p> <p>10 morning; right?</p> <p>11 A. Right.</p> <p>12 Q. So this was the first time she was</p> <p>13 seeing it, so she was surprised; right?</p> <p>14 A. Yes.</p> <p>15 Q. And then what else did you do at</p> <p>16 Megan's house -- apartment?</p> <p>17 A. That's all I remember.</p> <p>18 Q. And then you went back to the</p> <p>19 police station; right?</p> <p>20 A. Yes.</p> <p>21 Q. When you got back to the police</p> <p>22 station it was about 1:58 in the</p> <p>23 afternoon. Does that sound right about</p>

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<p>1 that?</p> <p>2 A. That sounds right.</p> <p>3 Q. It's actually 12 hours since the</p> <p>4 assault and about eight hours since you</p> <p>5 first met her. Does that seem about</p> <p>6 right?</p> <p>7 A. Yes.</p> <p>8 Q. At that point you must have talked</p> <p>9 to somebody at the investigation because</p> <p>10 you told them about the gun; right?</p> <p>11 A. Yes.</p> <p>12 Q. Did you know about the allegation</p> <p>13 that she had taken Bunn's wallet?</p> <p>14 A. At that time I believe I did.</p> <p>15 Q. And how did you know that?</p> <p>16 A. I don't remember who let me know</p> <p>17 that.</p> <p>18 Q. What did they tell you, whoever it</p> <p>19 was?</p> <p>20 A. I don't remember.</p> <p>21 Q. Was it Josh?</p> <p>22 A. I don't remember.</p> <p>23 Q. Was it Hood?</p>	<p>1 A. I don't remember.</p> <p>2 Q. Captain Hart?</p> <p>3 A. I don't remember.</p> <p>4 Q. Throughout the day on July 2nd who</p> <p>5 do you remember talking to?</p> <p>6 A. There was several -- I mean</p> <p>7 several investigators working, so it could</p> <p>8 have been anybody in that office that I</p> <p>9 talked to that day.</p> <p>10 Q. Who do you remember talking to?</p> <p>11 Name names. What people do you remember</p> <p>12 talking to that day?</p> <p>13 A. I talked to Captain Hood, Captain</p> <p>14 Hart, Josh -- I don't remember any</p> <p>15 specific other person.</p> <p>16 Q. So when I have long, hard days, I</p> <p>17 often remember who I talked to the most.</p> <p>18 Do you remember who you talked to the</p> <p>19 most?</p> <p>20 A. It would probably be Josh that</p> <p>21 day.</p> <p>22 Q. Did you have a conversation with</p> <p>23 Josh about Mirandizing Megan?</p>
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<p>1 A. Not that I remember.</p> <p>2 Q. Was Josh back in the office?</p> <p>3 A. I can't remember who was there.</p> <p>4 Q. You had also spoken to Megan's</p> <p>5 father before you went back in to</p> <p>6 interview her a second time; right?</p> <p>7 A. Yes.</p> <p>8 Q. Tell me about that.</p> <p>9 A. He was just, you know, concerned</p> <p>10 for his daughter and, you know, I told him</p> <p>11 that we were going to -- we were going to</p> <p>12 do everything we could to help her.</p> <p>13 Seems like he insinuated that we</p> <p>14 were going to try to cover stuff up</p> <p>15 because she had told him that the Bunn</p> <p>16 had a lot of money. That's basically all</p> <p>17 I remember.</p> <p>18 Q. What did you respond to that?</p> <p>19 A. I just told him, you know, we</p> <p>20 don't allow money to influence our</p> <p>21 decisions on cases.</p> <p>22 Q. Were you offended by it, by</p> <p>23 Mr. Rondini?</p>	<p>1 A. Yeah, I mean, of course, you know,</p> <p>2 people make accusations all the time, but,</p> <p>3 you know, I wasn't, you know, fighting mad</p> <p>4 or anything like that. It's just, you</p> <p>5 know, somebody accusing you of something</p> <p>6 like that, that you're covering -- going</p> <p>7 to cover something up and there's nothing</p> <p>8 further from the truth.</p> <p>9 Q. So before you went back into the</p> <p>10 room to interrogate Megan, you had already</p> <p>11 made the decision to Mirandize her;</p> <p>12 correct?</p> <p>13 A. Yes.</p> <p>14 Q. Now, you told me that that was a</p> <p>15 decision -- your supervisor and the</p> <p>16 lawyers together had told you to do that.</p> <p>17 Do you have to do what you're told? Did</p> <p>18 you agree with that decision?</p> <p>19 A. Yeah, I mean at that time, you</p> <p>20 know, if I wouldn't have agreed to it, I</p> <p>21 probably wouldn't have done it.</p> <p>22 Q. Why did you think it was a good</p> <p>23 idea?</p>

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<p>1 A. Well, based on what was being said</p> <p>2 as far as him filing a criminal complaint</p> <p>3 on her, you know, she is going to possibly</p> <p>4 open herself up to, you know, criminal</p> <p>5 allegations and, you know, it's always</p> <p>6 best to just advise victims -- I'm sorry,</p> <p>7 advise her of her rights.</p> <p>8 Q. Well, she was a victim; right?</p> <p>9 A. Yes.</p> <p>10 Q. So you were Mirandizing a victim;</p> <p>11 right?</p> <p>12 A. Ma'am?</p> <p>13 MR. COCKRELL: Object to the</p> <p>14 form.</p> <p>15 Q. (By Ms. Bolger) You Mirandized the</p> <p>16 victim?</p> <p>17 A. Yes.</p> <p>18 MR. COCKRELL: Object to the</p> <p>19 form.</p> <p>20 Q. (By Ms. Bolger) Had you decided</p> <p>21 you didn't believe her, that she was</p> <p>22 sexually assaulted by that point?</p> <p>23 A. None of the statements that she</p>	<p>1 had made up to that point was enough to</p> <p>2 arrest anybody for rape. It's not that I</p> <p>3 didn't believe her what she said, it's</p> <p>4 just that the elements of the crime wasn't</p> <p>5 met.</p> <p>6 Q. I'm asking you right now do you</p> <p>7 believe that Megan Rondini was sexually</p> <p>8 assaulted?</p> <p>9 A. I don't know.</p> <p>10 Q. And on July -- in July of 2015,</p> <p>11 did you believe Megan Rondini had been</p> <p>12 sexually assaulted?</p> <p>13 A. I don't know.</p> <p>14 Q. Well, that's because it had only</p> <p>15 happened 12 hours before; right?</p> <p>16 MR. COCKRELL: Object to the</p> <p>17 form?</p> <p>18 Q. (By Ms. Bolger) You hadn't read</p> <p>19 her emails; right? Right?</p> <p>20 A. Yeah, I didn't read her emails.</p> <p>21 Q. You hadn't talked to Mr. Bunn;</p> <p>22 right?</p> <p>23 A. I didn't talk to him.</p>
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<p>1 Q. You didn't actually talk to any</p> <p>2 other witness; correct?</p> <p>3 A. I did not.</p> <p>4 Q. The only person you had spoken to</p> <p>5 was Megan Rondini, but you were already</p> <p>6 concluding that she hadn't met the</p> <p>7 elements of the crime; is that right?</p> <p>8 MR. COCKRELL: Object to the</p> <p>9 form.</p> <p>10 A. Yes, the elements of rape had not</p> <p>11 been met.</p> <p>12 Q. (By Ms. Bolger) There's lesser</p> <p>13 included offenses in a sexual assault</p> <p>14 charge, aren't there?</p> <p>15 A. Yes.</p> <p>16 Q. And had you sat down and gone</p> <p>17 through every element of every possible</p> <p>18 sexual misconduct crime and decided that</p> <p>19 they hadn't been met at this moment, a</p> <p>20 mere eight hours after interviewing Megan</p> <p>21 Rondini for the first time?</p> <p>22 A. I don't remember going through</p> <p>23 Title 13.</p>	<p>1 Q. Have you ever done that?</p> <p>2 A. I have, yes.</p> <p>3 Q. In respect to the Rondini crime,</p> <p>4 the allegations?</p> <p>5 A. No.</p> <p>6 Q. Okay.</p> <p>7 MS. BOLGER: J. T., would</p> <p>8 you hand over document AS?</p> <p>9 MR. THOMPSON: Yeah, just a</p> <p>10 second. AS?</p> <p>11 MS. BOLGER: Yes. And</p> <p>12 Nancy, if you'll be kind enough to mark it</p> <p>13 as Exhibit 30.</p> <p>14 (Off the record.)</p> <p>15 (Whereupon, a document was marked</p> <p>16 as Defendant's Exhibit No. 30 and</p> <p>17 is attached to the original</p> <p>18 transcript.)</p> <p>19 Q. And for the record while you take</p> <p>20 a look at it, Investigator Jones, this is</p> <p>21 a transcript of the interview taken</p> <p>22 July 2nd, 2015, between officer and Megan,</p> <p>23 transcribed on July 13, 2017.</p>

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<p>1 Again, this was produced to us in</p> <p>2 the wrongful death lawsuit. We did not</p> <p>3 make this video transcript.</p> <p>4 And, Investigator Jones, you're</p> <p>5 welcome to take a quick peek. This is a</p> <p>6 transcript of your second interview with</p> <p>7 Megan Rondini; correct?</p> <p>8 A. Yes.</p> <p>9 Q. So if you look at the second page</p> <p>10 of the exhibit, so it's page 2 of the</p> <p>11 transcript. You begin, and you say, we</p> <p>12 are in the process of getting the final</p> <p>13 pieces as far as the videos and stuff. We</p> <p>14 still got to touch base with Innisfree,</p> <p>15 but we're going back out to your apartment</p> <p>16 to go ahead and pull that before it rolls</p> <p>17 over and records over but so we're close</p> <p>18 on your case.</p> <p>19 Now, based on the statements that</p> <p>20 you made to me earlier, I need to ask you</p> <p>21 some questions about it, okay. Before I</p> <p>22 ask you any questions though, I mean, you</p> <p>23 got a reasoning behind why you did what</p>	<p>1 you did.</p> <p>2 First of all, what do you mean by</p> <p>3 close on your case?</p> <p>4 A. Close to getting all the videos</p> <p>5 pulled.</p> <p>6 Q. Do you mean you were close to</p> <p>7 wrapping up the case?</p> <p>8 A. No.</p> <p>9 Q. Then you say, I mean, you got a</p> <p>10 reasoning behind what you did what you</p> <p>11 did. And Megan says, what do you mean?</p> <p>12 And I have to say I agree with her</p> <p>13 sentiment. What did you mean by that?</p> <p>14 A. I know that she had a reason to</p> <p>15 take -- for taking that gun, for taking</p> <p>16 the money. I just needed her to say that</p> <p>17 in her own words.</p> <p>18 I can't put words in her mouth to</p> <p>19 say I took the gun in fear for my life and</p> <p>20 I took this money because I was trying to</p> <p>21 pay a cab, you know, I can't -- I can't</p> <p>22 tell her what to say.</p> <p>23 I just need her to tell me -- you</p>
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<p>1 know, I have no doubt of what she's</p> <p>2 saying, you know. It's not that I didn't</p> <p>3 believe her. It's I just need her to tell</p> <p>4 me that in her own words because I can't</p> <p>5 lead her -- do a leading question, like</p> <p>6 you took this gun because you were scared</p> <p>7 for your life, didn't you?</p> <p>8 Q. Why couldn't you be nice to Megan;</p> <p>9 you were nice to Mr. Bunn?</p> <p>10 A. I didn't talk to Mr. Bunn.</p> <p>11 Q. Well, you told me you've got to be</p> <p>12 nice to Mr. Bunn. You can't make him come</p> <p>13 to the office if he's going away. He's</p> <p>14 got to be able to go away. You've got to</p> <p>15 be nice to Mr. Bunn --</p> <p>16 MR. COCKRELL: Object to the</p> <p>17 form --</p> <p>18 Q. (By Ms. Bolger) -- why can you be</p> <p>19 so accommodating to Mr. Bunn, but you</p> <p>20 can't be accommodating to Megan?</p> <p>21 MR. COCKRELL: Object to the</p> <p>22 form.</p> <p>23 A. I'm just saying that I can't ask</p>	<p>1 her a leading question because I know in</p> <p>2 her mind that she had a reason for taking</p> <p>3 that gun and she had a reason --</p> <p>4 Q. (By Ms. Bolger) Why can't you ask</p> <p>5 her a leading question?</p> <p>6 A. Huh?</p> <p>7 MR. COCKRELL: We lost that</p> <p>8 question.</p> <p>9 Q. (By Ms. Bolger) Why can't you ask</p> <p>10 her a leading question?</p> <p>11 A. I need her to tell me in her own</p> <p>12 words why she did this. Because that</p> <p>13 would get -- the criminal case that she's</p> <p>14 getting put on her or tried to get put on</p> <p>15 her, it would push that away if she would</p> <p>16 tell me I was afraid for my life, I took</p> <p>17 this gun, there's not going to be, you</p> <p>18 know, a jury anywhere that's going to</p> <p>19 convict her of that.</p> <p>20 Q. You walked into the room and you</p> <p>21 said this; right? There's no page before</p> <p>22 that. That's the very first page of this</p> <p>23 transcript; right?</p>

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<p>1 A. Yes.</p> <p>2 Q. Before this moment she hadn't told</p> <p>3 you anything about the wallet; right?</p> <p>4 A. I can't remember if she did or</p> <p>5 not.</p> <p>6 Q. How did you expect her to know</p> <p>7 what you were talking about when you</p> <p>8 walked into the room and you said you got</p> <p>9 a reasoning behind why you did what you</p> <p>10 did?</p> <p>11 You just walked in and said it.</p> <p>12 How did she know what you were talking</p> <p>13 about?</p> <p>14 A. I just wanted to be up front with</p> <p>15 her and say I know that you had a reason</p> <p>16 behind what you did. And before I ask you</p> <p>17 any questions about it, you know, I just</p> <p>18 need you to tell me in your own words.</p> <p>19 Q. But you didn't say that, did you?</p> <p>20 You said, I mean, you got a reasoning</p> <p>21 behind why you did what you did. That's</p> <p>22 what you said; right?</p> <p>23 A. Yes.</p>	<p>1 Q. All right. If you read down, she</p> <p>2 says what do you mean. And you respond,</p> <p>3 well, that is what we are going to get</p> <p>4 into. Now, you -- I just need you to tell</p> <p>5 me once we get into the questioning, you</p> <p>6 know, what your reasoning was about why</p> <p>7 you did these things, but before I ask you</p> <p>8 the questions I have to read you your</p> <p>9 rights, okay? And then you read her her</p> <p>10 rights; right? What were these things</p> <p>11 that you were referring to?</p> <p>12 A. The gun, and I mean, it's the</p> <p>13 things that she was accused of taking.</p> <p>14 Q. So Bunn accuses her of taking</p> <p>15 things after he takes her to a house,</p> <p>16 takes away her phone, pins her down and</p> <p>17 has sex with her -- holds her down and has</p> <p>18 sex with her without her consent, you</p> <p>19 don't feel the need to Mirandize him.</p> <p>20 But then Bunn makes a couple of</p> <p>21 allegations about some bucks in his wallet</p> <p>22 and his credit card and you feel the need</p> <p>23 to Mirandize her?</p>
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<p>1 MR. COCKRELL: Object to the</p> <p>2 form.</p> <p>3 A. There again, these items were</p> <p>4 missing and she was -- I wanted her to</p> <p>5 tell me why she took all this stuff.</p> <p>6 Q. (By Ms. Bolger) But this morning</p> <p>7 you told me that the reason you didn't</p> <p>8 Mirandize Bunn was because you wanted to</p> <p>9 have a nice rapport with him to get him to</p> <p>10 tell you information --</p> <p>11 MR. COCKRELL: That's a</p> <p>12 mischaracterization.</p> <p>13 Q. (By Ms. Bolger) -- how could --</p> <p>14 MR. COCKRELL: Object to the</p> <p>15 form. Mischaracterization.</p> <p>16 A. I didn't say we didn't read him</p> <p>17 Miranda.</p> <p>18 Q. (By Ms. Bolger) You told me this</p> <p>19 morning that you wanted to be nice to him</p> <p>20 so he would cooperate with the</p> <p>21 investigation. It was your word; don't</p> <p>22 you agree?</p> <p>23 A. Yes.</p>	<p>1 Q. How come you can catch more flies</p> <p>2 with honey when you're talking to</p> <p>3 Mr. Bunn, but you're all vinegar with</p> <p>4 Megan?</p> <p>5 MR. COCKRELL: Object to the</p> <p>6 form.</p> <p>7 A. There again, I felt like I had her</p> <p>8 best interest as far as protecting her</p> <p>9 rights, by advising her of her rights</p> <p>10 before she admits to these allegations.</p> <p>11 Q. (By Ms. Bolger) Will you look at</p> <p>12 the third page for me? And Megan says --</p> <p>13 you, officer, you say, I told you that</p> <p>14 we're going to go back and forth sometimes</p> <p>15 on what we ask you, but I do want to go</p> <p>16 back to one of the last things that you</p> <p>17 made a statement about, and Megan says</p> <p>18 also I wrote that before I came here.</p> <p>19 She's referring to a specific</p> <p>20 written statement that she had when she</p> <p>21 walked into the office; correct?</p> <p>22 A. Yes.</p> <p>23 Q. And you remember she had that;</p>

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<p>1 right?</p> <p>2 A. Yes.</p> <p>3 Q. It's actually in the felony packet</p> <p>4 so we can look at it; right?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. And you say I haven't even</p> <p>7 read it yet; right?</p> <p>8 A. Yes.</p> <p>9 Q. So you haven't read her statement</p> <p>10 but you have concluded that she hasn't met</p> <p>11 the elements of a crime; right?</p> <p>12 MR. COCKRELL: Object to the</p> <p>13 form.</p> <p>14 A. I hadn't read the statement, no.</p> <p>15 Q. (By Ms. Bolger) But you've already</p> <p>16 reached the conclusion that she hadn't met</p> <p>17 the elements of sexual assault; right?</p> <p>18 A. The elements of the crime had not</p> <p>19 been met.</p> <p>20 Q. But you haven't read her statement</p> <p>21 yet; right?</p> <p>22 A. No.</p> <p>23 Q. Okay. Then I will tell you that</p>	<p>1 she -- you do talk about the theft of the</p> <p>2 credit card, but you knew that before you</p> <p>3 walked into the room; right?</p> <p>4 A. Yes.</p> <p>5 Q. But she didn't -- there was never</p> <p>6 any evidence that she stole Bunn's credit</p> <p>7 card; correct?</p> <p>8 A. There was evidence that stuff was</p> <p>9 missing out of a wallet. I had no idea</p> <p>10 what had actually been taken.</p> <p>11 Q. Okay. But that's not my question.</p> <p>12 My question was there was never any</p> <p>13 evidence that she stole Bunn's credit</p> <p>14 card; correct?</p> <p>15 A. No.</p> <p>16 Q. In fact, the credit card she used</p> <p>17 to pay for the cab was as she said in</p> <p>18 here, her own; correct?</p> <p>19 A. Yes, yes.</p> <p>20 Q. Will you turn to page 22? If you</p> <p>21 start with line 9 -- first of all, you ask</p> <p>22 her if she's got a fake ID. Do you see</p> <p>23 that?</p>
Page 235	Page 236
<p>1 A. Yes.</p> <p>2 Q. Why?</p> <p>3 A. She's 20 years old. I just asked</p> <p>4 her.</p> <p>5 Q. Just racking up the crimes?</p> <p>6 MR. COCKRELL: Object to the</p> <p>7 form.</p> <p>8 A. We were not charging her with</p> <p>9 anything.</p> <p>10 Q. (By Ms. Bolger) Why were you</p> <p>11 asking her about the fake ID if you</p> <p>12 weren't just looking for another way to</p> <p>13 get her in trouble?</p> <p>14 A. I just -- I mean, she's in a bar</p> <p>15 drinking. You know she had to have a fake</p> <p>16 ID, so I just asked her do you have a fake</p> <p>17 ID.</p> <p>18 Q. Why did you have to -- is that</p> <p>19 relevant to her sexual assault allegation?</p> <p>20 A. No.</p> <p>21 Q. Is it relevant to Bunn's theft</p> <p>22 allegations?</p> <p>23 A. No.</p>	<p>1 Q. Okay. You say I believe you, all</p> <p>2 right. Here's what I want to talk to you</p> <p>3 about and I think you know this, I really</p> <p>4 do. When we talked at the hospital you</p> <p>5 made a statement to me, you said you felt</p> <p>6 like, you know, that you had been taken</p> <p>7 advantage of or something to the effect</p> <p>8 but you also told me you never said no.</p> <p>9 What were you trying to say to her?</p> <p>10 A. That the elements of rape had not</p> <p>11 been met.</p> <p>12 Q. But you're trying to tell her you</p> <p>13 know that you think she knows that; right?</p> <p>14 You say I think you know this.</p> <p>15 A. Well, just referring to her</p> <p>16 remembering the statement.</p> <p>17 Q. Okay. And she says to you I was</p> <p>18 saying that I wanted to leave and when he</p> <p>19 started to touch me I was not responsive</p> <p>20 to him at all, and then you say -- and</p> <p>21 then she says I just honestly felt like</p> <p>22 because he wasn't going to stop, so if I</p> <p>23 just kind of let him, then I would be able</p>

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<p>1 to leave.</p> <p>2 Do you see that?</p> <p>3 A. Yes.</p> <p>4 Q. She doesn't agree with you that</p> <p>5 this was not an assault; correct?</p> <p>6 MR. COCKRELL: Object to the</p> <p>7 form.</p> <p>8 A. Well, I mean it's just -- again,</p> <p>9 the elements of rape were not met.</p> <p>10 Q. (By Ms. Bolger) Page 14 -- sorry,</p> <p>11 line 14 -- sorry page 23 line 14, you say,</p> <p>12 here's my question to you and this is</p> <p>13 after going over everything, and there</p> <p>14 again, we're still working, it is still an</p> <p>15 active case, okay? We're still working</p> <p>16 this case, but based on your statement to</p> <p>17 me you said you never resisted him.</p> <p>18 And Megan says, I did resist him.</p> <p>19 The N-T is crossed out on this, because</p> <p>20 there was a mistake in the transcript, so</p> <p>21 it's I did resist him. I said I wanted to</p> <p>22 leave. When he tried to kiss me, I turned</p> <p>23 away, like I didn't -- and you interrupt</p>	<p>1 her and say, but you never said no, okay.</p> <p>2 And you said you felt like if you</p> <p>3 let him have sex with you, then you would</p> <p>4 be able to leave, okay, and then the</p> <p>5 conversation goes on.</p> <p>6 Had she said no instead of I have</p> <p>7 to go, would you have thought the elements</p> <p>8 of rape were met?</p> <p>9 A. It's possible. I'm just saying</p> <p>10 that it wasn't said so, you know, the</p> <p>11 elements wasn't there.</p> <p>12 Q. Why does it matter whether she</p> <p>13 said no?</p> <p>14 A. His -- it has to be met with</p> <p>15 earnest resistance to be -- to meet the</p> <p>16 elements of that crime, and it was not.</p> <p>17 Q. But not of lesser included</p> <p>18 offenses; right?</p> <p>19 A. I'm not sure on that. I would</p> <p>20 have to look at Title 13.</p> <p>21 Q. Well, shouldn't you have been?</p> <p>22 When there was a girl in your office</p> <p>23 saying that she was sexually assaulted,</p>
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<p>1 shouldn't you have checked Title 13 then?</p> <p>2 A. That's one reason there was a lot</p> <p>3 of people in the office, you know, and</p> <p>4 another reason that the district attorney</p> <p>5 or assistant district attorney was called</p> <p>6 over. If there was anything lesser</p> <p>7 included that could be or could be charged</p> <p>8 against Bunn, it would have been.</p> <p>9 Q. Did you talk to anybody about</p> <p>10 that?</p> <p>11 A. I don't remember.</p> <p>12 Q. Okay. On page 25, she says I</p> <p>13 didn't want it to happen and, like, I am</p> <p>14 pretty sure I was clear that I didn't want</p> <p>15 it to happen. And you say how. That is</p> <p>16 one thing I'm trying to get, you know, how</p> <p>17 did you make it clear to him that you</p> <p>18 didn't want it to happen.</p> <p>19 And then Megan says, when he told</p> <p>20 me to go upstairs I did not. I stayed as</p> <p>21 far away from his bed as possible. I had</p> <p>22 all my clothes on. I tried to just not, I</p> <p>23 don't know like, and then when he wanted</p>	<p>1 me to come sit on the bed, I didn't come</p> <p>2 sit with him and then he brought me to the</p> <p>3 bed and I just -- and you interrupt her,</p> <p>4 and you say, you know, I -- what I want to</p> <p>5 stress to you also is I'm not here to</p> <p>6 embarrass you in any way, but you never go</p> <p>7 back to asking her what she did, how she</p> <p>8 made it clear that she didn't want it to</p> <p>9 happen. Why didn't you let her tell you</p> <p>10 that?</p> <p>11 A. I don't know.</p> <p>12 Q. Then you ask on page 26 you say,</p> <p>13 but when you're talking about rape, you</p> <p>14 know, why didn't you call the police, you</p> <p>15 know. And Megan says at the house, and</p> <p>16 you said yes. And Megan says I thought</p> <p>17 about it but -- and you and. And then she</p> <p>18 says, at first I didn't even -- I wasn't</p> <p>19 even going to go to the hospital and my</p> <p>20 friends told me that I should go. I</p> <p>21 didn't want to make a big deal.</p> <p>22 Do you see that?</p> <p>23 A. Yes.</p>

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<p>1 Q. Do you have any memory of Megan 2 ever telling you that her phone wasn't 3 working or her phone had died? 4 A. I don't remember that. 5 Q. I'll tell you absolutely candidly 6 Captain Hood testified that at some point 7 Megan said her phone had died, and I have 8 scoured the transcripts and the videotapes 9 and I can find absolutely nothing where 10 Megan ever said her phone had died. I 11 don't think she said it. Do you have any 12 reason to believe she said it? 13 A. I don't remember her saying. I 14 don't believe she said that, but. 15 Q. And if it's not in these 16 transcripts or these videotapes, is there 17 somewhere else it would have been? 18 A. No. 19 Q. I think Captain Hood's mistaken. 20 I don't want you to think he's, you know, 21 making things up. I just think he's 22 mistaken, but I just wanted to make sure I 23 was correct. Okay.</p>	<p>1 During this conversation you have 2 a lot of conversations with Megan about 3 talking to her father, your conversation 4 with her father. Why did you tell her 5 that? 6 A. I don't think it was anything in 7 particular. Just to let her know that, 8 you know, he had called and was checking 9 on her. 10 Q. Okay. You certainly suggest that 11 you're unhappy with his allegation that 12 you might favor Bunn rather than her. Why 13 would you communicate that to Megan? 14 A. I don't know. 15 Q. It doesn't have to do with whether 16 she was assaulted by Bunn; right? 17 A. No. 18 Q. And it doesn't have to do with 19 whether she stole things from Bunn; right? 20 A. No. 21 Q. In addition to this interview, you 22 offer her a non-prosecution form; is that 23 correct?</p>
Page 243	Page 244
<p>1 A. Yes. 2 Q. Does that comport with your 3 memory? Had you had conversations before 4 you went in to question Megan about 5 bringing in an non-prosecution form with 6 people outside of the office? 7 A. I don't remember a conversation 8 about it. 9 Q. Did you talk to one of your 10 supervisors or the district attorney about 11 that? 12 A. I don't remember. 13 Q. Okay. Was it something that in 14 your discretion you could do, walk in with 15 a non-prosecution form, or generally did 16 you need a supervisor to sign off on that? 17 A. No, you could go in on your own 18 and do that. 19 Q. Do you remember making a choice to 20 do that here? 21 A. I don't remember. 22 Q. Why did you give her the 23 non-prosecution form?</p>	<p>1 A. Well, she was telling us that she 2 didn't want it to go any further and that 3 doesn't necessarily mean our investigation 4 stops. It just means that, I guess for 5 lack of a better term, she doesn't want to 6 have anything to do with the case right 7 now or further. 8 Q. But she didn't sign it? 9 A. She didn't sign one, no. 10 Q. In your experience investigating 11 sexual assault cases, do you often walk in 12 with a non-prosecution form? 13 A. I believe I have before. 14 Q. Before Megan or before now? 15 A. Before -- I believe it was before 16 Megan. 17 Q. How many times? 18 A. I can't say for sure. 19 Q. Okay. In this interview you never 20 mention Megan's text messages; correct? 21 A. Yes. 22 Q. And that's because you hadn't seen 23 them yet?</p>

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<p>1 A. Right.</p> <p>2 Q. You-all made the decision to</p> <p>3 Mirandize Megan without seeing the text</p> <p>4 messages; correct?</p> <p>5 A. Yes.</p> <p>6 Q. So Megan then left your office or</p> <p>7 left the sheriff's office, and what was</p> <p>8 the next thing you did in the</p> <p>9 investigation into Megan's allegations</p> <p>10 against T. J. Bunn?</p> <p>11 A. I'm sure it was to get the rest of</p> <p>12 the videos that we knew were out there,</p> <p>13 probably Innisfree, and checking with any</p> <p>14 city-owned cameras that may have got</p> <p>15 picked up anything on camera around</p> <p>16 Innisfree, down University Boulevard.</p> <p>17 That's more than likely that's what it</p> <p>18 was.</p> <p>19 Q. As you sit here, do you actually</p> <p>20 know what happened to Megan after she left</p> <p>21 Innisfree between when she got into</p> <p>22 T. J. Bunn's car?</p> <p>23 A. No.</p>	<p>1 Q. After Megan left your office, did</p> <p>2 you have any internal meetings about the</p> <p>3 investigation?</p> <p>4 A. Not that I remember.</p> <p>5 Q. Did you ever have a conversation</p> <p>6 about the involvement of the Bunn family</p> <p>7 in the allegations made by Megan with</p> <p>8 Captain Hood?</p> <p>9 A. Not that I remember.</p> <p>10 Q. Did you ever have such a</p> <p>11 conversation with Hart, Captain Hart?</p> <p>12 A. Not that I remember.</p> <p>13 Q. Did you ever have such a</p> <p>14 conversation with Sheriff Abernathy?</p> <p>15 A. No.</p> <p>16 Q. How about Josh Hastings?</p> <p>17 A. Other than just the general</p> <p>18 investigative questions, nothing specific</p> <p>19 comes to mind.</p> <p>20 Q. Are you aware that Captain Hood</p> <p>21 called one of his supervisors on the</p> <p>22 morning of the alleged assault to tell him</p> <p>23 that Bunn was involved?</p>
Page 247	Page 248
<p>1 A. I didn't know that.</p> <p>2 Q. Are you aware that Sheriff</p> <p>3 Abernathy himself was told that Bunn was</p> <p>4 involved?</p> <p>5 A. I was not aware of that, no.</p> <p>6 Q. Did you ever contact any of the</p> <p>7 people who were at the Innisfree bar with</p> <p>8 Megan Rondini?</p> <p>9 A. No.</p> <p>10 Q. You never spoke to Kara Whelpy?</p> <p>11 A. No.</p> <p>12 Q. You never spoke to Elisabeth</p> <p>13 Mapes?</p> <p>14 A. No.</p> <p>15 Q. You never spoke to Hannah Carter?</p> <p>16 A. No.</p> <p>17 Q. You never spoke Logan St. Pierre?</p> <p>18 A. No.</p> <p>19 Q. You never spoke to Shannon Towles?</p> <p>20 A. No.</p> <p>21 Q. You never spoke to Haley Wightman?</p> <p>22 A. No.</p> <p>23 Q. You never spoke to Amie -- I'm</p>	<p>1 going to mess it up -- Intagliata?</p> <p>2 A. No.</p> <p>3 Q. Never spoke to Bridget Bernarding?</p> <p>4 A. No.</p> <p>5 Q. You never spoke to Sammie Auer?</p> <p>6 A. No.</p> <p>7 Q. Couldn't they have all told you</p> <p>8 when Megan left Innisfree and why?</p> <p>9 A. They could have -- well, I don't</p> <p>10 know if they could have.</p> <p>11 Q. Well, wouldn't you want to know?</p> <p>12 Wouldn't you want to ask them?</p> <p>13 A. I can't -- I think we had video</p> <p>14 pretty quick from Innisfree.</p> <p>15 Q. But it was video. It wasn't</p> <p>16 audio; right?</p> <p>17 A. Right.</p> <p>18 Q. Isn't it supposed to be your job</p> <p>19 to contact witnesses to crimes?</p> <p>20 A. They were just at the bar, yes.</p> <p>21 Q. But we still don't know what</p> <p>22 happened to Megan Rondini from the time</p> <p>23 when she left Innisfree, thinking to her</p>

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<p>1 memory that she had a designated driver, 2 and when she's picked up on the side of 3 the road by T. J. Bunn; right? We still 4 don't know what happened? 5 A. All I know -- 6 Q. Wouldn't it -- 7 MR. COCKRELL: Wait a 8 minute. Let him finish his answer. 9 A. -- all I know is she walked out of 10 the bar. That's -- 11 Q. (By Ms. Bolger) Right. But it 12 feels like these women would have been 13 able to tell you about that; right? 14 A. Possible, if they hadn't left. 15 Q. Did you ever interview a woman 16 named Rebecca Lundgren who was with Ciara 17 Younger when she came to pick up Rondini? 18 A. I didn't. 19 Q. Did you ever collect -- was 20 T. J. Bunn's clothing ever collected? 21 A. I can't remember if his clothing 22 was collected. It would probably be on 23 that evidence list in the felony packet.</p>	<p>1 Q. Okay, it's not. So if it's not 2 there, would it have been collected? 3 A. Probably not. 4 Q. Okay. So you said you looked at 5 some surveillance footage from various 6 cameras; I'm paraphrasing. What else did 7 you do as to the Rondini investigation 8 after Megan left the office? 9 A. I can't remember anything 10 specifically. 11 Q. Okay. Can you remember if 12 Investigator Hastings did anything? 13 A. I don't know. 14 Q. Did you hear again from 15 Mr. Rondini? 16 A. I don't think so. 17 Q. There was never a physical exam of 18 any kind done on Mr. Bunn, was there? 19 A. Not to my knowledge. 20 Q. And I know you took bedding from 21 the house, but you didn't do any analysis 22 on the bedding; right? 23 A. I don't believe so.</p>
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<p>1 Q. So sorry. You said you didn't 2 speak to Mr. Rondini? 3 A. I don't believe I did -- again 4 after that first time. 5 Q. Right, I know you spoke to him the 6 first time, but the district attorney did 7 speak with him; correct? 8 A. Yes. 9 Q. And you had a meeting with the 10 district attorney before she spoke to 11 Mr. Rondini; right? 12 A. I don't even know if I would call 13 it a meeting. Seems like she just wanted 14 what were the facts of the case or 15 something to that effect. I can't say for 16 sure, but it wasn't like a formal meeting. 17 Q. Okay. Informal or formal -- 18 A. Right. 19 Q. -- did you have a conversation 20 with her face to face or a telephone 21 conversation? 22 A. I don't remember. 23 Q. Okay. What do you remember the</p>	<p>1 purpose of that meeting was? 2 A. I think she just wanted, you know, 3 like I say the facts of the case. That 4 way she would know what to talk about with 5 Mr. Rondini. 6 Q. Did you have that conversation 7 with the district attorney before or after 8 you put together the felony packet? 9 A. It would have probably been 10 before. 11 MS. BOLGER: J. T., I'm 12 going to ask you to show the witness the 13 timeline which is -- it was Exhibit 15 -- 14 wait, no. Yes, it was Exhibit 15, but 15 it's AJ exhibit. It's the first one 16 through 23, pages one through 23 of AJ is 17 the timeline of the Rondini case. 18 MR. COCKRELL: I tell you 19 what, we've been going a little over an 20 hour, I think. Let's just take maybe a 21 five-minute break. 22 MS. BOLGER: Okay. 23 VIDEOGRAPHER: We're off the</p>

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<p style="text-align: right;">Page 253</p> <p>1 record at 2:11.</p> <p>2 MS. BOLGER: Can I have 10</p> <p>3 more minutes, Bob, to finish this line of</p> <p>4 questioning?</p> <p>5 VIDEOGRAPHER: Back on the</p> <p>6 record at 2:12 p m.</p> <p>7 (Whereupon, a document that was</p> <p>8 previously marked as Defendant's</p> <p>9 Exhibit No. 15 was referenced and</p> <p>10 is attached to the original</p> <p>11 transcript.)</p> <p>12 Q. (By Ms. Bolger) For the record,</p> <p>13 this is a document that Chief Waid I</p> <p>14 believe identified as a timeline of the</p> <p>15 Rondini case created by the attorney</p> <p>16 general's office after the -- after</p> <p>17 actually Ms. Rondini's death, and I'm only</p> <p>18 going to ask you about one very specific</p> <p>19 portion of the timeline.</p> <p>20 You're welcome to read the whole</p> <p>21 thing but I wanted you to turn to page 20.</p> <p>22 There's a date of July 28, 2015 that I</p> <p>23 wanted to talk to you about. Are you with</p>	<p style="text-align: right;">Page 254</p> <p>1 me?</p> <p>2 A. Yes, ma'am.</p> <p>3 Q. Okay. So it says, District</p> <p>4 Attorney Lyn Head came over to the office</p> <p>5 to speak with Investigator Jones about the</p> <p>6 case. Head said she was going to speak</p> <p>7 with Ms. Rondini's father and she left the</p> <p>8 office a short time later.</p> <p>9 Approximately 30 minutes later, DA</p> <p>10 Lyn Head came back to the office to speak</p> <p>11 with Investigator Jones about the</p> <p>12 conversation she had had with</p> <p>13 Ms. Rondini's father. Head provided</p> <p>14 Investigator Jones with a synopsis of the</p> <p>15 conversation she had with Mr. Rondini, see</p> <p>16 the email below.</p> <p>17 Do you remember that happening,</p> <p>18 Investigator Jones?</p> <p>19 A. Yes.</p> <p>20 Q. And did you, in fact, receive an</p> <p>21 email with the synopsis or did she give</p> <p>22 you an oral synopsis and wrote it later?</p> <p>23 A. It was an email.</p>
<p style="text-align: right;">Page 255</p> <p>1 Q. We didn't get that email when we</p> <p>2 saw this production. Did you have a lot</p> <p>3 of emails related to this case?</p> <p>4 A. No.</p> <p>5 Q. Did you have any emails related to</p> <p>6 this case?</p> <p>7 A. The ones I had I turned over, and</p> <p>8 I say that this is an email. I don't know</p> <p>9 if she sent it directly to me or if she</p> <p>10 sent it to a supervisor and they passed it</p> <p>11 onto me.</p> <p>12 Q. But you have seen an email that</p> <p>13 contains these contents?</p> <p>14 A. Yes, I've seen it.</p> <p>15 Q. I just want to ask you a couple of</p> <p>16 questions about the second graph of the</p> <p>17 email, so the second bullet or italicized</p> <p>18 graph.</p> <p>19 It starts, I apologized to him for</p> <p>20 the delay in getting back with him and</p> <p>21 explained to him that both of our offices</p> <p>22 are understaffed and have a lot going on</p> <p>23 during recent weeks, and we just had an</p>	<p style="text-align: right;">Page 256</p> <p>1 opportunity to go over the case again this</p> <p>2 morning.</p> <p>3 I told him that you reviewed the</p> <p>4 details of statements and video from the</p> <p>5 investigation with me and that you had</p> <p>6 referred to your case notes in doing so.</p> <p>7 Do you see that?</p> <p>8 A. Yes.</p> <p>9 Q. What case notes?</p> <p>10 A. It was probably notes that</p> <p>11 everybody had taken whether it was on the</p> <p>12 scene or, you know, in the interview.</p> <p>13 Case notes could be, you know, written</p> <p>14 statement or, you know, just somebody</p> <p>15 jotting down notes, synopsis of a</p> <p>16 statement.</p> <p>17 Q. I actually didn't see any notes by</p> <p>18 you in the file. There's no handwritten</p> <p>19 notes by you. Is that consistent with</p> <p>20 your memory?</p> <p>21 A. I believe so.</p> <p>22 Q. And the next paragraph it says, he</p> <p>23 asked what this office intended to do in</p>

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<p>1 the case. I told him there was no</p> <p>2 evidence of force or lack of capacity to</p> <p>3 consent. Because of the total absence of</p> <p>4 evidence as to either of these required</p> <p>5 elements, the case would not proceed to to</p> <p>6 a grand jury. Do you see that?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. And the next paragraph</p> <p>9 starts out, he asked whether, but I just</p> <p>10 wanted to have you look at bottom. So the</p> <p>11 final sentence in that paragraph, which is</p> <p>12 third from the end reads, I also told him</p> <p>13 that based on the statements of the three</p> <p>14 individuals who gave statements concerning</p> <p>15 her contact with the male subject, the</p> <p>16 last cocktails that were made were made by</p> <p>17 Megan at her apartment. What were those</p> <p>18 three statements?</p> <p>19 A. I don't know who she was referring</p> <p>20 to. I mean I don't know if she's talking</p> <p>21 about Bunn, Barksdale, and Megan. I don't</p> <p>22 know if that's the three. I don't know.</p> <p>23 Q. Okay. She seems to be referencing</p>	<p>1 something you said, so I wondered if you</p> <p>2 had said there were three statements, but</p> <p>3 if you don't remember you don't remember.</p> <p>4 A. Yeah, I don't remember.</p> <p>5 Q. Okay. Then on the next page,</p> <p>6 page 21, the graph starts he asked why her</p> <p>7 Miranda rights were read to her.</p> <p>8 Do you see that?</p> <p>9 A. Yes, ma'am.</p> <p>10 Q. She said, I informed him that I</p> <p>11 did not understand that he ultimately</p> <p>12 claimed that she had been sexually</p> <p>13 assaulted.</p> <p>14 Do you see that?</p> <p>15 A. Yes.</p> <p>16 Q. Is it your position that Megan</p> <p>17 Rondini never claimed she was sexually</p> <p>18 assaulted?</p> <p>19 A. Well, she claimed that, yes.</p> <p>20 Q. So that's wrong that she says here</p> <p>21 I did not understand that she ultimately</p> <p>22 claimed that she had been sexually</p> <p>23 assaulted? She did claim she had been</p>
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<p>1 sexually assaulted; right?</p> <p>2 A. Yes.</p> <p>3 Q. And you know that's what she</p> <p>4 claimed; right?</p> <p>5 A. She didn't use the term sexually</p> <p>6 assaulted.</p> <p>7 Q. She did or did not?</p> <p>8 A. Did not.</p> <p>9 Q. But that's what she was saying</p> <p>10 happened to her; right?</p> <p>11 A. Yes.</p> <p>12 Q. And then the start of the next</p> <p>13 paragraph starts out, he asked whether she</p> <p>14 would be charged with a crime and stated</p> <p>15 that would be an injustice under the</p> <p>16 circumstances.</p> <p>17 Do you see that?</p> <p>18 A. Yes.</p> <p>19 Q. And then if you look at the final</p> <p>20 paragraph on the page, it says he told --</p> <p>21 he then told me that the investigator had</p> <p>22 been gruff with her and that it had been</p> <p>23 inappropriate for a male to question her,</p>	<p>1 that the lack of follow-up concerning</p> <p>2 medical information at the hospital</p> <p>3 (because he had called you and you had not</p> <p>4 returned his call) and other things that</p> <p>5 he had thought to do in the first ten</p> <p>6 minutes of knowledge that this had</p> <p>7 occurred and other things that a sergeant</p> <p>8 in Las Vegas (his relative) has asked</p> <p>9 about indicated that this so-called</p> <p>10 investigation had been conducted in a</p> <p>11 hillbilly manner that caused him concern.</p> <p>12 Do you see that?</p> <p>13 A. Yes.</p> <p>14 Q. Then on the next page, I told him</p> <p>15 that his lack of knowledge of the facts</p> <p>16 and actions of the investigation and his</p> <p>17 resulting use of the word "hillbilly" was</p> <p>18 frankly the most offensive thing anyone</p> <p>19 had said to me in 18 years I have been</p> <p>20 working in this field.</p> <p>21 Do you see that?</p> <p>22 A. Yes.</p> <p>23 Q. Did you also agree that hillbilly</p>

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<p>1 is offensive?</p> <p>2 A. Not to me. I mean, I've been</p> <p>3 called worse.</p> <p>4 Q. And then he says, he never wants</p> <p>5 you to contact his daughter ever again.</p> <p>6 Do you see that?</p> <p>7 A. Yes.</p> <p>8 Q. And, in fact, you never did</p> <p>9 contact his daughter again; right?</p> <p>10 A. Right.</p> <p>11 Q. Do you remember having any</p> <p>12 reaction to this?</p> <p>13 A. No.</p> <p>14 Q. Okay. Just quickly before we</p> <p>15 break -- actually you know what, we can</p> <p>16 come back. We can take a break.</p> <p>17 VIDEOGRAPHER: We're off the</p> <p>18 record at 2:19 p.m.</p> <p>19 (Recess was taken.)</p> <p>20 VIDEOGRAPHER: We're back on</p> <p>21 the record at 2:34 p.m.</p> <p>22 Q. Do you know a guy Scott Meyer,</p> <p>23 Investigator Jones?</p>	<p>1 A. Just he had contacted me saying</p> <p>2 that he was representing the Rondinis.</p> <p>3 Q. Okay. And you originally agreed</p> <p>4 to talk to him; right?</p> <p>5 A. Yes.</p> <p>6 Q. And then you didn't ultimately;</p> <p>7 correct?</p> <p>8 A. Yes.</p> <p>9 Q. Why not?</p> <p>10 A. I can't remember exactly, but I</p> <p>11 believe it was because he wanted to be</p> <p>12 there any time Megan was there and the</p> <p>13 only thing that she had to come back for</p> <p>14 was picking up her property so it really</p> <p>15 wasn't necessary to talk with him.</p> <p>16 Q. Was it also in part because the</p> <p>17 Rondinis had said that they were</p> <p>18 considering litigation against the</p> <p>19 department?</p> <p>20 A. I don't know about the -- I don't</p> <p>21 think that was in talks at that time.</p> <p>22 Q. Did there come a time when the</p> <p>23 Rondinis said they were threatening a</p>
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<p>1 lawsuit?</p> <p>2 A. It wasn't made known to us.</p> <p>3 Q. It wasn't told to you?</p> <p>4 A. Up until the lawsuit was filed, I</p> <p>5 mean, there wasn't talk saying, you know,</p> <p>6 they're talking about filing a lawsuit.</p> <p>7 Q. Okay. Did you speak to</p> <p>8 Ms. Rondini when she came to get her</p> <p>9 property?</p> <p>10 A. Yes.</p> <p>11 Q. What did you-all talk about?</p> <p>12 A. Just the gist of it was about the</p> <p>13 property that I remember --</p> <p>14 Q. At that time -- I'm sorry, I cut</p> <p>15 you off. That was totally unintentional.</p> <p>16 Can you tell me what you were</p> <p>17 saying?</p> <p>18 A. I'm sorry, I believe it was just</p> <p>19 about the property itself I think. I</p> <p>20 can't remember everything.</p> <p>21 Q. Do you remember her telling you</p> <p>22 that they were planning to go a different</p> <p>23 route?</p>	<p>1 A. Yes.</p> <p>2 Q. What did you understand her to</p> <p>3 mean by that?</p> <p>4 A. I do remember asking her at that</p> <p>5 point if she was talking about civilly,</p> <p>6 like a civil suit, against the Bunns I'm</p> <p>7 sorry.</p> <p>8 Q. Okay. And what did she say to</p> <p>9 that?</p> <p>10 A. I believe she said, yes.</p> <p>11 Q. At any point before the filing of</p> <p>12 that lawsuit were you instructed not to</p> <p>13 talk to the Rondinis anymore because this</p> <p>14 was a civil matter and all things needed</p> <p>15 to be directed through the district</p> <p>16 attorney's office?</p> <p>17 A. I don't remember anybody ever</p> <p>18 instructing me not to talk to the Rondinis</p> <p>19 other than the attorney, Meyer, Scott</p> <p>20 Meyer, the one --</p> <p>21 Q. I'm sorry, I thought you ended up</p> <p>22 not talking to Mr. Meyer. Did you have a</p> <p>23 conversation with Mr. Meyer?</p>

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<p>1 A. Well, I think it was in letter 2 form, I think. 3 Q. Okay. 4 MS. BOLGER: J. T., can you 5 hand the witness letter N? 6 MR. THOMPSON: Yes, just a 7 second. 8 MS. BOLGER: And Nancy, 9 would you mark this 31. 10 (Whereupon, a document was marked 11 as Defendant's Exhibit No. 31 and 12 is attached to the original 13 transcript.) 14 Q. (By Ms. Bolger) For the record, 15 Exhibit 31 is a document produced to us by 16 the plaintiffs that we've given the Bates 17 number Jones-Hastings 224. It's an email 18 from Adam Jones to Kip Hart dated 19 August 19, 2015, with some handwriting on 20 the top. 21 Investigator Jones, do you 22 remember receiving this email -- or sorry, 23 do you remember sending this email to Kip</p>	<p>1 Hart? 2 A. I don't remember -- I'm not 3 doubting I did it. I sent it, but I just 4 don't remember it. 5 Q. Why send an email like that to Kip 6 Hart? 7 A. I don't -- I don't know. 8 Q. And the handwriting on top there's 9 a handwritten note that says, this is an 10 attorney the Rondinis had to contact me 11 during the investigation. Do you see 12 that? 13 A. Yes. 14 Q. And that's your handwriting? 15 A. Yes. 16 Q. And was that a note you wrote as 17 to this litigation? 18 A. I can't remember if -- I don't 19 know if I made that note printing it out 20 putting it in the file, case file, or I 21 can't remember writing that. I know 22 that's my writing, but I just don't 23 remember when I wrote it.</p>
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<p>1 Q. Okay. You can put that aside. 2 MS. BOLGER: J. T., would 3 you mind handing the witness letter I, 4 which is the felony packet, and for the 5 record this was marked as Exhibit 2 to the 6 deposition of Captain Hood -- Captain 7 Hart. 8 (Whereupon, a document that was 9 previously marked as Defendant's 10 Exhibit No. 2 was referenced and 11 is attached to the original 12 transcript.) 13 Q. For the record, I have had -- the 14 witness has been handed the felony packet 15 related to the case in which Megan 16 Elizabeth Rondini is the victim and Terry 17 Jackson Bunn, Jr., is the defendant. 18 Investigator Jones, have you seen 19 this before? 20 A. Yes. 21 Q. In fact, you put this together; 22 correct? 23 A. Yes.</p>	<p>1 Q. And when did you do that? 2 A. It would probably be from anywhere 3 from the end of July through halfway 4 through August, at some time period in 5 there. 6 Q. And if you'll flip through it, you 7 can do so at your leisure. I want to just 8 make sure that this is the whole felony 9 packet. 10 A. It does look like the entire 11 thing. 12 Q. How did you go about putting this 13 together? 14 A. Just collected the statements that 15 everybody had taken, the photos, and the 16 system that we use actually puts it in an 17 order. Any handwritten statement or 18 anything we -- or Miranda rights or 19 anything like that, we'll put that in the 20 packet in the certain order that they want 21 it. 22 Q. Okay. 23 A. If that's what you're talking</p>

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<p>1 about.</p> <p>2 Q. And is the purpose of the felony</p> <p>3 packet to put together all of the</p> <p>4 important information in the case and then</p> <p>5 you send it over to the district attorney</p> <p>6 for presentation to the grand jury?</p> <p>7 A. Yes.</p> <p>8 Q. So you're trying to marshal all of</p> <p>9 your evidence and put it in the grand jury</p> <p>10 felony packet; right?</p> <p>11 A. Everything related to the case.</p> <p>12 Q. Okay. Did you actually present</p> <p>13 this case to a grand jury?</p> <p>14 A. Yes.</p> <p>15 Q. There's something in the files</p> <p>16 that says that Investigator Adams</p> <p>17 presented it to the grand jury. Is that</p> <p>18 wrong; you did it yourself?</p> <p>19 A. I don't know why people put that</p> <p>20 as my last name, I guess. My name is Adam</p> <p>21 Jones, so I don't know why they do that</p> <p>22 but it was me that presented it.</p> <p>23 Q. Okay. When did you present it to</p>	<p>1 the grand jury?</p> <p>2 A. I believe it was February of '16.</p> <p>3 Q. And that was after Megan died?</p> <p>4 A. Yes.</p> <p>5 Q. I want to ask you a couple of</p> <p>6 questions about the packet. So on the</p> <p>7 first page you'll see it says charge</p> <p>8 special inquiry. Do you see that?</p> <p>9 A. Yes.</p> <p>10 Q. Have you put -- is putting special</p> <p>11 inquiry as the charge for a case that goes</p> <p>12 to the grand jury common?</p> <p>13 A. Yes.</p> <p>14 Q. Why?</p> <p>15 A. Well, like I say, we had</p> <p>16 determined the elements of the crime for</p> <p>17 rape had not been met. We presented it to</p> <p>18 the grand jury to see if they saw</p> <p>19 otherwise.</p> <p>20 Q. You said you determined the</p> <p>21 elements of rape had not been met. Had</p> <p>22 you determined that the elements of any</p> <p>23 other crime of sexual misconduct had been</p>
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<p>1 met or not met?</p> <p>2 A. No.</p> <p>3 Q. Have you ever charged anyone with</p> <p>4 a lesser sexual assault offense?</p> <p>5 A. Not that I can remember.</p> <p>6 Q. Do you know what they are?</p> <p>7 A. Well, I'm sure probably talking</p> <p>8 about sexual misconduct, sexual abuse.</p> <p>9 Q. Do you know what the elements are</p> <p>10 of sexual misconduct?</p> <p>11 A. Not in my head, no.</p> <p>12 Q. So how can you tell if something</p> <p>13 is a crime if you were never -- if you</p> <p>14 don't know the elements?</p> <p>15 A. Well, I'm just saying it's been a</p> <p>16 year since I've worked in police work, so,</p> <p>17 you know, I don't remember the elements of</p> <p>18 that crime. I'm not saying --</p> <p>19 Q. Did you know the elements of that</p> <p>20 crime on the 2nd of July 2015?</p> <p>21 A. I'm sure I did.</p> <p>22 Q. Did you sit down and try to</p> <p>23 determine whether the charges against --</p>	<p>1 the claims against Mr. Bunn amounted to</p> <p>2 sexual misconduct?</p> <p>3 A. Not that I remember.</p> <p>4 Q. Have you ever been trained on the</p> <p>5 elements of sexual misconduct crimes other</p> <p>6 than rape?</p> <p>7 A. Not -- no formal training, no.</p> <p>8 Q. Where did you get your</p> <p>9 understanding of what earnest resistance</p> <p>10 is?</p> <p>11 A. Just by the -- I believe it's the</p> <p>12 legal definition in Title 13.</p> <p>13 Q. So just from reading the statute</p> <p>14 is how you came to know what earnest</p> <p>15 resistance was?</p> <p>16 A. Well, it's defined in the criminal</p> <p>17 statute.</p> <p>18 Q. Okay. But just by reading the</p> <p>19 definition of earnest resistance is how</p> <p>20 you came to understand what earnest</p> <p>21 resistance was?</p> <p>22 A. When it's based on a crime, yes.</p> <p>23 Q. You never had a conversation with</p>

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<p>1 anybody or trained in how to spot the</p> <p>2 elements of earnest resistance?</p> <p>3 A. No.</p> <p>4 Q. When did you acquire your</p> <p>5 knowledge of the elements -- when did you</p> <p>6 acquire your knowledge of what earnest</p> <p>7 resistance is?</p> <p>8 A. Probably been early on in my</p> <p>9 career. You don't use that as far as</p> <p>10 determining element of a crime as much as</p> <p>11 you do working in homicide. You do as far</p> <p>12 as like when I was in patrol taking the</p> <p>13 actual report, yes, you would document</p> <p>14 that, but you dealt with it a lot more in</p> <p>15 homicide.</p> <p>16 Q. Okay. But you never charged</p> <p>17 anybody with any other sexual crime?</p> <p>18 A. I mean I have, yes. I thought you</p> <p>19 were talking about a lesser crime -- I see</p> <p>20 what you're asking now. As far as yes,</p> <p>21 people have been charged -- I have charged</p> <p>22 people with lesser sexual crimes.</p> <p>23 Q. What crimes?</p>	<p>1 A. Well, I guess it wouldn't be</p> <p>2 lesser. Sodomy. I can't remember if I've</p> <p>3 ever charged anybody with sexual</p> <p>4 misconduct. I have had rape been charged</p> <p>5 -- charged people with rape. Sexual</p> <p>6 abuse.</p> <p>7 Q. What are the elements of sexual</p> <p>8 abuse?</p> <p>9 A. There again, I would have to have</p> <p>10 a Title 13 in front of me to know exactly</p> <p>11 what it says.</p> <p>12 Q. Okay. Page 2 of the document, and</p> <p>13 I promise I won't ask you a question on</p> <p>14 every page of this massive document, but I</p> <p>15 will ask you questions on some. It says</p> <p>16 Tuscaloosa Homicide Unit felony sheet --</p> <p>17 felony report fact sheet. What is a</p> <p>18 felony report fact sheet?</p> <p>19 MR. COCKRELL: What page are</p> <p>20 you on?</p> <p>21 THE WITNESS: The second</p> <p>22 page.</p> <p>23 Q. (By Ms. Bolger) Second page.</p>
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<p>1 A. Basically just list the defendant,</p> <p>2 victim, charge and the initial officer on</p> <p>3 the scene, anybody that did any</p> <p>4 interviews.</p> <p>5 Q. Is it generated automatically or</p> <p>6 do you generate it?</p> <p>7 A. The format of it is generated</p> <p>8 automatically. We have to input the names</p> <p>9 and stuff like that, addresses, dates, but</p> <p>10 the general layout, I guess you could say,</p> <p>11 is generated automatically.</p> <p>12 Q. Okay. If you flip to --</p> <p>13 unfortunately there are no page numbers,</p> <p>14 and you're probably going to dislike me</p> <p>15 for making you count a lot and I apologize</p> <p>16 for that, but on the fourth page of the</p> <p>17 exhibit it's called Tuscaloosa County</p> <p>18 Homicide Unit Synopsis. Do you see that?</p> <p>19 A. Yes.</p> <p>20 Q. And did you write this?</p> <p>21 A. Yes.</p> <p>22 Q. What is the purpose of the</p> <p>23 synopsis in this packet?</p>	<p>1 A. It's basically for any supervisor</p> <p>2 that's reviewing this, checking it I guess</p> <p>3 you could say, to make sure any</p> <p>4 corrections or anything needed to be made</p> <p>5 as far as it's just a general overview of</p> <p>6 the case.</p> <p>7 Q. Okay. When say a supervisor, what</p> <p>8 do you mean?</p> <p>9 A. Well, it goes through three</p> <p>10 different supervisors. One makes sure all</p> <p>11 the paperwork is actually in the report.</p> <p>12 There's another one that makes sure</p> <p>13 there's no grammatical errors or spelling.</p> <p>14 And then I believe it's one that</p> <p>15 actually looks through, you know, to make</p> <p>16 sure that, you know, the investigation was</p> <p>17 done correctly or totally, and it's ready</p> <p>18 to go to grand jury.</p> <p>19 Q. And who looked through this in</p> <p>20 this case?</p> <p>21 A. I can't remember the order. It</p> <p>22 seems like it was Sergeant Davis, Sergeant</p> <p>23 Franks, and possibly Captain Hood. That's</p>

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<p>1 -- we put it in a box, in the first</p> <p>2 sergeant's box. He'll do what he checks.</p> <p>3 It goes to another sergeant's box. He</p> <p>4 does his check, and then it goes to</p> <p>5 Captain Hood.</p> <p>6 Q. Okay. And then this packet goes</p> <p>7 to the grand jury?</p> <p>8 A. It goes to the DA's office.</p> <p>9 Q. Goes to the DA's office. And what</p> <p>10 happens to it in the DA's office?</p> <p>11 A. My understanding is they put it in</p> <p>12 their own folders. They keep it as much</p> <p>13 in entirety as possible, but I think they</p> <p>14 would break the packets up from time to</p> <p>15 time, I don't know why, but they go</p> <p>16 through the packet, assign it a date to be</p> <p>17 presented to grand jury, and then it's</p> <p>18 presented on that date.</p> <p>19 Q. And did you -- when you presented</p> <p>20 to the grand jury, did you present the</p> <p>21 whole packet?</p> <p>22 A. Just relative to the alleged</p> <p>23 sexual assault. I mean there's an entire</p>	<p>1 packet here, but like I don't go through</p> <p>2 and read the synopsis for the grand jury.</p> <p>3 It's usually just the facts of the case</p> <p>4 that is presented.</p> <p>5 Q. In this case you did a</p> <p>6 presentation to the grand jury?</p> <p>7 A. Yes, yes.</p> <p>8 Q. What did you present to the grand</p> <p>9 jury?</p> <p>10 A. When?</p> <p>11 Q. What.</p> <p>12 A. What did -- it was this case, I</p> <p>13 mean -- the felony --</p> <p>14 Q. What did you --</p> <p>15 A. -- the felony packet?</p> <p>16 Q. The felony packet?</p> <p>17 A. Yes.</p> <p>18 Q. Did you do an oral presentation or</p> <p>19 did you hand them the felony packet?</p> <p>20 A. It was an oral presentation.</p> <p>21 Q. What parts of the felony packet</p> <p>22 did you talk about in your oral</p> <p>23 presentation?</p>
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<p>1 A. It's usually the case report which</p> <p>2 is --</p> <p>3 MR. COCKRELL: Hold on a</p> <p>4 second. Can we go off the record a</p> <p>5 minute?</p> <p>6 MS. BOLGER: I'm sorry, I</p> <p>7 can't hear you.</p> <p>8 MR. COCKRELL: Can we go off</p> <p>9 the record for a minute?</p> <p>10 MS. BOLGER: Sure.</p> <p>11 VIDEOGRAPHER: We're off the</p> <p>12 record at 2:53 p m.</p> <p>13 (Off the record.)</p> <p>14 VIDEOGRAPHER: We're back on</p> <p>15 the record at 2:58 p m.</p> <p>16 MS. BOLGER: For the record,</p> <p>17 the parties just had an off-the-record</p> <p>18 colloquy about when and how I can ask</p> <p>19 about the witness's testimony at the grand</p> <p>20 jury without putting anybody in an awkward</p> <p>21 and potentially illegal situation, and</p> <p>22 we're going to put a pin in that and come</p> <p>23 back to it.</p>	<p>1 Q. For the time being, Investigator</p> <p>2 Jones, can you take a look at page 4,</p> <p>3 which is the synopsis, which is what we</p> <p>4 had been talking about?</p> <p>5 A. Okay.</p> <p>6 Q. Okay. And you'll see there's a --</p> <p>7 it's actually the second or third full</p> <p>8 graph starts, during the course of this</p> <p>9 investigation. Do you see that?</p> <p>10 A. Yes.</p> <p>11 Q. It says, "During the course of</p> <p>12 this investigation several videos were</p> <p>13 pulled. The victim and suspect were</p> <p>14 interviewed. It was found no sexual</p> <p>15 assault occurred and investigators were</p> <p>16 able to determine that the victim went</p> <p>17 with the subject willingly after they took</p> <p>18 her home to Houndstooth Apartments.</p> <p>19 After speaking with the DA on the</p> <p>20 case, she advised me that the elements of</p> <p>21 rape were not met."</p> <p>22 Do you see that?</p> <p>23 A. Yes.</p>

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<p style="text-align: right;">Page 281</p> <p>1 Q. Are rape and sexual assault two</p> <p>2 different crimes in Alabama?</p> <p>3 A. No.</p> <p>4 Q. And it says, "It was found no</p> <p>5 sexual assault occurred."</p> <p>6 Do you see that?</p> <p>7 A. Yes.</p> <p>8 Q. In any other felony packet have</p> <p>9 you ever said that no crime occurred?</p> <p>10 A. I know that -- I know that I've</p> <p>11 said that. I don't know to what capacity</p> <p>12 as far as being in a felony packet. I</p> <p>13 don't remember.</p> <p>14 Q. So sorry, I don't understand your</p> <p>15 answer. So you're saying you don't know</p> <p>16 if you've ever done it before in a felony</p> <p>17 packet?</p> <p>18 A. Yeah, I remember in a case file</p> <p>19 putting that no crime was committed, but I</p> <p>20 don't remember if it's ever been in a</p> <p>21 felony packet that went to the grand jury.</p> <p>22 Q. What was that crime? You don't</p> <p>23 have to tell me the particulars, just the</p>	<p style="text-align: right;">Page 282</p> <p>1 crime.</p> <p>2 A. And that's what I can't remember</p> <p>3 that either. I just remember putting that</p> <p>4 no crime occurred. I can't remember.</p> <p>5 Q. Can you remember what crime you</p> <p>6 were investigating?</p> <p>7 A. I can't.</p> <p>8 Q. Okay. Seems an unusual thing to</p> <p>9 put in a felony packet that's going to go</p> <p>10 to a grand jury to try to influence</p> <p>11 whether they see a crime occurring.</p> <p>12 Isn't that an unusual thing to say</p> <p>13 if you want someone to take a fresh look</p> <p>14 at a crime?</p> <p>15 A. Well, they don't hear this. They</p> <p>16 don't see this part of the packet. They</p> <p>17 actually -- to my knowledge they don't</p> <p>18 even look at the felony packet. This is</p> <p>19 for the district attorney's office.</p> <p>20 Q. Then you say, "Investigators were</p> <p>21 contacted by an attorney in Birmingham</p> <p>22 saying that he represented the victim and</p> <p>23 didn't want us to talk with her unless he</p>
<p style="text-align: right;">Page 283</p> <p>1 was there."</p> <p>2 Do you see that?</p> <p>3 A. Yes.</p> <p>4 Q. What does that have to do with</p> <p>5 whether a crime occurred?</p> <p>6 A. There again, it's just a synopsis</p> <p>7 of this entire case and I just included it</p> <p>8 in the synopsis.</p> <p>9 Q. Okay. The next page is page 5 and</p> <p>10 it's the felony report witness list. Do</p> <p>11 you see that?</p> <p>12 A. Yes.</p> <p>13 Q. Are these the people that were to</p> <p>14 testify in the grand jury?</p> <p>15 A. If they called them. That's why</p> <p>16 we turn over the names. It's up to the</p> <p>17 district attorney's office to subpoena.</p> <p>18 And just so you know, on number</p> <p>19 one and number three, it's been redacted</p> <p>20 so I can't see a name, but I'm assuming</p> <p>21 there's a name under that redacted part.</p> <p>22 Q. You're looking at a different</p> <p>23 version than I am. Okay, we'll come back</p>	<p style="text-align: right;">Page 284</p> <p>1 to that.</p> <p>2 And then the sixth page is the</p> <p>3 case report. Did you draft this?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. You'll see on the first</p> <p>6 paragraph is, "On July 2nd, 2015 at</p> <p>7 approximately 5:00 a m., investigators</p> <p>8 were contacted by TPD and asked to respond</p> <p>9 to DCH in reference to an alleged sexual</p> <p>10 assault. Investigators arrived at DCH and</p> <p>11 stood -- and Investigator Jones obtained a</p> <p>12 recorded audio statement from the victim.</p> <p>13 The victim told the investigators</p> <p>14 that she did not think the subject was</p> <p>15 going to let her leave his residence until</p> <p>16 she had sex with him. Victim stated she</p> <p>17 had sex with the suspect and she never</p> <p>18 told him to stop or showed any form of</p> <p>19 earnest resistance."</p> <p>20 Do you see that?</p> <p>21 A. Yes.</p> <p>22 Q. Is it your testimony as you sit</p> <p>23 here that Megan never told him to stop?</p>

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<p>1 A. Yes.</p> <p>2 Q. Even though she told you</p> <p>3 repeatedly that she thought she had made</p> <p>4 it clear to him that she wanted him to</p> <p>5 stop?</p> <p>6 A. It was my understanding that she</p> <p>7 just told him she needed to leave.</p> <p>8 Q. Well, she told you that she</p> <p>9 thought she told him she didn't want to do</p> <p>10 it in many different ways. Remember?</p> <p>11 MR. COCKRELL: Object to the</p> <p>12 form.</p> <p>13 A. There again, it was my</p> <p>14 understanding that she never told him to</p> <p>15 stop. It was always her just saying she</p> <p>16 needed to leave.</p> <p>17 Q. But Megan told you I did resist</p> <p>18 him, I said I wanted to leave when he</p> <p>19 tried to kiss me. I turned away, like, I</p> <p>20 didn't -- isn't that her telling him that</p> <p>21 she wants him to stop?</p> <p>22 MR. COCKRELL: Object to the</p> <p>23 form.</p>	<p>1 A. Well, she's just telling him that</p> <p>2 she needed to leave and --</p> <p>3 Q. (By Ms. Bolger) Megan told you,</p> <p>4 I'm pretty sure it was clear that I didn't</p> <p>5 want it to happen.</p> <p>6 Is that her telling him to stop?</p> <p>7 MR. COCKRELL: Object to the</p> <p>8 form.</p> <p>9 A. No, she was saying she was pretty</p> <p>10 sure that she made it clear, but she</p> <p>11 didn't ever tell me how she made it clear.</p> <p>12 She just said that she needed to leave.</p> <p>13 Q. (By Ms. Bolger) Well, that's</p> <p>14 because you cut her off; right?</p> <p>15 A. I mean --</p> <p>16 MR. COCKRELL: Object to the</p> <p>17 form.</p> <p>18 A. -- there was more opportunities</p> <p>19 for her to tell me.</p> <p>20 Q. (By Ms. Bolger) Is it your</p> <p>21 testimony that the only thing that she</p> <p>22 could have possibly said that would have</p> <p>23 communicated to you that she told</p>
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<p>1 T. J. Bunn to stop was if she said I told</p> <p>2 him to stop?</p> <p>3 A. Make sure I understand your</p> <p>4 question, could you ask it one more time?</p> <p>5 Q. Sure. Is it your testimony that</p> <p>6 the only way Megan could possibly have</p> <p>7 communicated to you that she wanted</p> <p>8 T. J. Bunn to stop having sex with her was</p> <p>9 to say the words I wanted -- I told him to</p> <p>10 stop having sex with me?</p> <p>11 MR. COCKRELL: Object to the</p> <p>12 form.</p> <p>13 A. Well, with her saying that I need</p> <p>14 to leave and stop having sex with me is</p> <p>15 two different things.</p> <p>16 Q. (By Ms. Bolger) After that</p> <p>17 paragraph -- this is the felony packet</p> <p>18 that relates to the charges against -- the</p> <p>19 charge against Bunn; right? This felony</p> <p>20 packet relates to the allegations made by</p> <p>21 Megan Rondini against T. J. Bunn; correct?</p> <p>22 A. Yes, yes.</p> <p>23 Q. After that one paragraph that I</p>	<p>1 just read, is there any place else in the</p> <p>2 synopsis where you talk about Megan's</p> <p>3 allegations of sexual assault against</p> <p>4 Bunn?</p> <p>5 MR. COCKRELL: Did you hear</p> <p>6 that question?</p> <p>7 THE WITNESS: Yes.</p> <p>8 MR. COCKRELL: Okay. I</p> <p>9 didn't hear it. Could you read it back?</p> <p>10 (Whereupon, requested portion was</p> <p>11 read back by court reporter.)</p> <p>12 A. Looks like an overview of the</p> <p>13 case.</p> <p>14 Q. (By Ms. Bolger) That wasn't my</p> <p>15 question. Is there any other paragraph in</p> <p>16 this case report where you talk about</p> <p>17 Megan's allegations against Bunn?</p> <p>18 A. No.</p> <p>19 Q. So you don't talk about it in the</p> <p>20 second paragraph; right?</p> <p>21 A. No.</p> <p>22 Q. Or the third paragraph?</p> <p>23 A. No.</p>

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<p>1 Q. Or the fourth paragraph?</p> <p>2 A. No.</p> <p>3 Q. Or the fifth?</p> <p>4 A. No.</p> <p>5 Q. Or the sixth?</p> <p>6 A. No.</p> <p>7 Q. Or the seventh?</p> <p>8 A. No.</p> <p>9 Q. Or the eighth?</p> <p>10 A. No.</p> <p>11 Q. But you do say, "Investigators</p> <p>12 received a letter from an attorney in</p> <p>13 Birmingham saying he was representing the</p> <p>14 victim"; right?</p> <p>15 A. Yes.</p> <p>16 Q. What does that have to do with</p> <p>17 whether Megan Rondini was raped by</p> <p>18 T. J. Bunn?</p> <p>19 A. That was just an overview of the</p> <p>20 case.</p> <p>21 Q. I still don't understand what it</p> <p>22 has to do with the case. What does it</p> <p>23 have to do with the case?</p>	<p>1 A. It's just showing that they're</p> <p>2 going on a civil route for this case.</p> <p>3 Q. What does that matter to whether a</p> <p>4 crime occurred?</p> <p>5 A. It's just so everything can be</p> <p>6 documented in this -- in the case report.</p> <p>7 Q. Why does that have to be</p> <p>8 documented in a case report that</p> <p>9 determines whether Megan Rondini was</p> <p>10 assaulted by T. J. Bunn?</p> <p>11 A. It's just showing that she was</p> <p>12 represented by an attorney.</p> <p>13 Q. It says that he was told that he</p> <p>14 would not be getting any of the case file</p> <p>15 unless it was subpoenaed.</p> <p>16 Do you see that? The last final</p> <p>17 clause.</p> <p>18 A. Yes.</p> <p>19 Q. Why was he not getting any of the</p> <p>20 case file unless it was subpoenaed?</p> <p>21 A. We don't normally release case</p> <p>22 files to attorneys without a subpoena.</p> <p>23 Q. Well, but Megan Rondini was the</p>
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<p>1 victim; right? She was the alleged</p> <p>2 victim; right?</p> <p>3 A. It was my understanding we didn't</p> <p>4 release the felony packets to anybody.</p> <p>5 Q. Okay. Was that because she had an</p> <p>6 attorney or was it you just don't release</p> <p>7 felony packets?</p> <p>8 MR. COCKRELL: Object to the</p> <p>9 form.</p> <p>10 A. We don't -- well, she's got --</p> <p>11 she's got an attorney, but we don't</p> <p>12 release the felony packet to anybody.</p> <p>13 Q. (By Ms. Bolger) Okay. So it</p> <p>14 wasn't the fact that he was an attorney</p> <p>15 that he could only get it by subpoena? It</p> <p>16 was just in general --</p> <p>17 A. Right.</p> <p>18 Q. -- you can't get felony packets;</p> <p>19 is that right?</p> <p>20 A. Yes, we just didn't release the</p> <p>21 felony packets to anybody.</p> <p>22 Q. If you look at next page is the</p> <p>23 Alabama Uniform Incident Offense Report</p>	<p>1 and it goes from pages 8 -- it goes</p> <p>2 through the eighth, ninth, tenth and 11th</p> <p>3 pages of the exhibit. What is this?</p> <p>4 A. This is the initial report that</p> <p>5 the officer took at the hospital.</p> <p>6 Q. Were you there when this was taken</p> <p>7 or does this represent a separate</p> <p>8 conversation with Megan?</p> <p>9 A. This was a separate conversation.</p> <p>10 Q. And this is the report that Brad</p> <p>11 Phillips got; correct?</p> <p>12 A. Yes.</p> <p>13 Q. So Brad Phillips had a</p> <p>14 conversation with you separate -- with</p> <p>15 Megan separate from the conversation you</p> <p>16 had with Megan; correct?</p> <p>17 A. Yes.</p> <p>18 Q. And this records that</p> <p>19 conversation?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. Can you look at the 13th</p> <p>22 page of the exhibit which is the one, two,</p> <p>23 and it says synopsis victim advised?</p>

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<p>1 The last page of the incident</p> <p>2 offense report that we just talked was the</p> <p>3 11th page of the exhibit; right?</p> <p>4 A. Okay, yes.</p> <p>5 Q. Then the next page is the Homicide</p> <p>6 Unit statement?</p> <p>7 A. Yes.</p> <p>8 Q. And then the page after that</p> <p>9 starts with a lower case synopsis and then</p> <p>10 the paragraph begins victim advised?</p> <p>11 A. Yes.</p> <p>12 Q. Who drafted this document?</p> <p>13 A. I believe I did.</p> <p>14 Q. Okay. And what did you do to</p> <p>15 draft this document?</p> <p>16 A. I just listened to the audio</p> <p>17 interview and did a synopsis of the</p> <p>18 statement.</p> <p>19 Q. Okay. So you pick and choose what</p> <p>20 to put in the synopsis?</p> <p>21 A. Well, I didn't detail every word.</p> <p>22 It's not dictation. It's just an</p> <p>23 overview.</p>	<p>1 Q. Okay. And you did not say in here</p> <p>2 that she told you that Bunn held her down</p> <p>3 by the hips and the torso; right?</p> <p>4 A. No, I don't see that in there.</p> <p>5 Q. And you did not put in here that</p> <p>6 he took her phone away from her?</p> <p>7 MR. COCKRELL: What was the</p> <p>8 last part, Kate?</p> <p>9 Q. (By Ms. Bolger) You did not put in</p> <p>10 here that he took -- that Bunn took</p> <p>11 Rondini's phone away?</p> <p>12 A. No, I don't see that.</p> <p>13 Q. If you turn that page, you'll get</p> <p>14 to the signed Miranda waiver by Megan</p> <p>15 Rondini; right?</p> <p>16 A. Yes.</p> <p>17 Q. And then the next page after that</p> <p>18 is a written statement form?</p> <p>19 A. Yes.</p> <p>20 Q. And it goes one, two, three pages?</p> <p>21 A. Yes.</p> <p>22 Q. Are those the notes that Megan</p> <p>23 brought with her to office or did she</p>
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<p>1 write this in the office?</p> <p>2 A. She brought it with her.</p> <p>3 Q. That's the one that you said you</p> <p>4 hadn't read in the interview; right?</p> <p>5 A. Right.</p> <p>6 Q. Okay. Can you flip to the back of</p> <p>7 the packet? You'll see there's one, two,</p> <p>8 three -- sorry, four, five -- six pages</p> <p>9 from the end there's the first of three</p> <p>10 letters from Scott James Meyer.</p> <p>11 A. Yes.</p> <p>12 Q. Why are there three letters from</p> <p>13 Scott James Meyer in this packet?</p> <p>14 A. Just to make sure that the DA's</p> <p>15 office had all of the information that I</p> <p>16 had on this case.</p> <p>17 Q. Again, why is it relevant that she</p> <p>18 had a lawyer?</p> <p>19 MR. COCKRELL: Besides --</p> <p>20 A. I just --</p> <p>21 MS. BOLGER: I didn't hear</p> <p>22 whatever anybody just said.</p> <p>23 A. I just included this, like I say,</p>	<p>1 to have all the documents sent over to the</p> <p>2 district attorney's office.</p> <p>3 Q. (By Ms. Bolger) Okay. And then</p> <p>4 immediately before that there's several</p> <p>5 pages of photocopies of DVDs. Do you see</p> <p>6 that?</p> <p>7 A. Yes.</p> <p>8 Q. When you put this felony packet</p> <p>9 together did you actually include the</p> <p>10 DVDs?</p> <p>11 A. Yes.</p> <p>12 Q. I have more questions about this</p> <p>13 document that I can't ask unless we have</p> <p>14 an agreement on the grand jury thing, so</p> <p>15 I'm going to come back to this document,</p> <p>16 but before I do actually this is a super</p> <p>17 hard one, but it's the 49th page of the</p> <p>18 document, so if you count the page you're</p> <p>19 on, the -- sorry, the first page of DVDs</p> <p>20 is the 67th page of the document.</p> <p>21 MR. COCKRELL: So what</p> <p>22 number are we going to?</p> <p>23 Q. (By Ms. Bolger) We're going to 49.</p>

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<p>1 It's the consent to search form signed by 2 T. J. Bunn at 6:47 a.m. 3 MR. COCKRELL: You said 4 consent to search form? 5 MS. BOLGER: Yeah, it's the 6 form for consent to search signed by T. J. 7 Bunn on 7/2 at 6:47 a.m. 8 MR. COCKRELL: We've got it. 9 Q. (By Ms. Bolger) You'll see -- and 10 we've talked about this consent form 11 signed at 6:47 a.m. so you can turn the 12 page. The next one is another form for 13 consent search signed at what looks like 14 8:15 a.m. 15 Do you see that? 16 A. Yes. 17 Q. Why is there a second signed form 18 consent? 19 A. After the first one he asked to 20 speak with his attorney, so the 21 investigators that were on the scene they 22 got him to sign another one at the request 23 of his attorney.</p>	<p>1 Q. And there's still a third one on 2 the next page also signed at 8:15. Do you 3 know what this one is? 4 A. It's another consent form. It 5 looks like it's just in a different -- 6 it's just a different format. 7 Q. Okay. Let's put the felony packet 8 aside and then we'll see maybe later on 9 what we want to do with that. 10 Nowhere in the felony packet does 11 it reference any text messages sent or 12 received by Megan Rondini; is that 13 correct? 14 A. Right. 15 Q. Is that because you had not seen 16 them at the time you put the felony packet 17 together? 18 A. I had viewed them before the 19 felony packet but to print out that report 20 it was several pages and they -- the 21 district attorney's office was getting the 22 disc that had all the information on it. 23 Q. You felt like just handing them</p>
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<p>1 the disc was enough? 2 A. Yes. 3 Q. Did anyone talk to T. J. Bunn or 4 his lawyers about the decision to submit 5 the felony packet to the DA's office to go 6 to the grand jury? 7 A. Not to my knowledge. 8 Q. Did Mr. Bunn know that the case 9 was going to the grand jury? 10 A. Not to my knowledge. 11 Q. Would it surprise you if we found 12 that he did know? 13 A. I don't know who would have let 14 him know. I mean, it wasn't me. 15 Q. I'm sorry, I didn't catch that 16 last answer. 17 A. It wasn't me that let him know. 18 To my knowledge he wasn't told. 19 Q. Okay. 20 MS. BOLGER: J. T., can you 21 hand Investigator Jones the document it 22 was texted over the weekend? It's BA. 23 It's Jones-Hastings 71.</p>	<p>1 MR. THOMPSON: Did you say 2 BA? 3 MS. BOLGER: Yeah, B as in 4 boy, A. If you don't have it it's not 5 that big a deal. 6 MR. THOMPSON: Tell me what 7 it is if you don't mind. 8 MS. BOLGER: It's 9 Jones-Hastings 71 and it's the listing of 10 text messages in extremely small print. 11 Q. While J. T. is looking, did you 12 have the capacity to cut and paste 13 information into the felony report, so in 14 other words, if there were text messages 15 you thought were important, would you have 16 cut and pasted them into the felony 17 report? 18 A. I didn't know how to do it. 19 Q. Did anybody else? 20 A. I'm sure they could. 21 Q. You didn't ask? 22 A. I didn't ask. 23 MR. THOMPSON: Kate, I'm not</p>

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<p>1 seeing BA.</p> <p>2 MS. BOLGER: That's fine.</p> <p>3 We'll cross that bridge another time.</p> <p>4 Q. Okay. Did you draft a timeline</p> <p>5 when you were investigating Ms. Rondini's</p> <p>6 allegations?</p> <p>7 A. No.</p> <p>8 Q. Is that something you do? You've</p> <p>9 done before?</p> <p>10 A. Yes, we've done it before.</p> <p>11 Q. In what kind of cases?</p> <p>12 A. Murder cases. Murder cases</p> <p>13 specifically. I don't remember any other.</p> <p>14 Q. Okay. Why didn't you do one here?</p> <p>15 A. I don't know.</p> <p>16 Q. Did you at any point refer charges</p> <p>17 against Megan to the CID for</p> <p>18 investigation?</p> <p>19 A. I did not.</p> <p>20 Q. Do you know if anybody else did?</p> <p>21 A. I don't.</p> <p>22 MS. BOLGER: J. T., could</p> <p>23 you hand the witness what was marked</p>	<p>1 already as Exhibit 18, but is pages 106</p> <p>2 through the end of AJ?</p> <p>3 MR. THOMPSON: I don't think</p> <p>4 he has that yet. Hang on a second. So</p> <p>5 it's 106 through 148?</p> <p>6 MS. BOLGER: Yes, it's the</p> <p>7 felony packet, the other felony packet.</p> <p>8 (Off the record.)</p> <p>9 (Whereupon, a document that was</p> <p>10 previously marked as Defendant's</p> <p>11 Exhibit No. 18 was referenced and</p> <p>12 is attached to the original</p> <p>13 transcript.)</p> <p>14 Q. Are you aware of whether the</p> <p>15 charges against Megan went to the grand</p> <p>16 jury?</p> <p>17 A. I don't know if it was presented.</p> <p>18 Q. Are you aware that charges went</p> <p>19 from the Criminal Investigations Division</p> <p>20 to the district attorney to be presented</p> <p>21 to a grand jury?</p> <p>22 A. I wasn't aware of it. Based on</p> <p>23 this it was because that's their felony</p>
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<p>1 packet, but I wasn't aware of it.</p> <p>2 Q. So you'll see Exhibit 18 is the</p> <p>3 Tuscaloosa County Sheriff's Office</p> <p>4 Criminal Investigation Division Report to</p> <p>5 a Grand Jury Warrantless Grand Jury</p> <p>6 Presentation for Megan Elizabeth Rondini,</p> <p>7 the charge of theft of property in the</p> <p>8 second degree and unlawful breaking and</p> <p>9 entering a vehicle.</p> <p>10 Do you see that?</p> <p>11 A. Yes.</p> <p>12 Q. So no special inquiry here, huh?</p> <p>13 A. No.</p> <p>14 Q. What is a warrantless grand jury</p> <p>15 presentation?</p> <p>16 A. No warrant was obtained on a</p> <p>17 suspect and the case was presented to</p> <p>18 grand jury for prosecution.</p> <p>19 Q. Okay. And do you know</p> <p>20 Investigator Thomas Nelson?</p> <p>21 A. I know him, yes.</p> <p>22 Q. Have you had conversations with</p> <p>23 Mr. Nelson about the Rondini case?</p>	<p>1 A. No.</p> <p>2 Q. Well, how did he get this stuff?</p> <p>3 These are your documents, if you flip</p> <p>4 through it; right? These are the</p> <p>5 documents from your investigation?</p> <p>6 A. It's the Case Management -- I'm</p> <p>7 sorry.</p> <p>8 Q. Sorry, go ahead.</p> <p>9 A. This is a Case Management System</p> <p>10 that they had access to.</p> <p>11 Q. So everything you said you put</p> <p>12 into the Case Management System and they</p> <p>13 were able to pull off the Case Management</p> <p>14 System?</p> <p>15 A. Yes.</p> <p>16 Q. But someone from the homicide</p> <p>17 office side of things would have had to</p> <p>18 have told them this case existed for them</p> <p>19 to know; correct?</p> <p>20 A. Not necessarily. It could have</p> <p>21 went through just say if he filed a report</p> <p>22 whoever took the initial report would be</p> <p>23 sent to the patrol supervisor and then</p>

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<p>1 that case -- I'm sorry, the incident</p> <p>2 offense report was then forwarded to the</p> <p>3 Criminal Investigations Division.</p> <p>4 Q. Why weren't they speaking to you</p> <p>5 about it if you were the lead investigator</p> <p>6 on the other half of the investigation?</p> <p>7 A. I don't know.</p> <p>8 Q. If you'll go back to the felony</p> <p>9 packet about the allegation made by Megan.</p> <p>10 Just before those DVDs I talked to you</p> <p>11 about there's a uniform incident offense</p> <p>12 report.</p> <p>13 A. I got it.</p> <p>14 Q. Do you see that? Are you with me?</p> <p>15 A. Yes.</p> <p>16 Q. And it says on the bottom that the</p> <p>17 reporting officer is David Griffin?</p> <p>18 A. Yes.</p> <p>19 Q. Do you know David Griffin?</p> <p>20 A. No.</p> <p>21 Q. Who is David Griffin?</p> <p>22 A. He is -- he's a deputy, a road</p> <p>23 deputy. He's not in a division or</p>	<p>1 anything. He's just a road cop, I guess</p> <p>2 you could say.</p> <p>3 Q. Okay. Was he at the -- to your</p> <p>4 knowledge was he at the Bunn's house the</p> <p>5 morning of the investigation?</p> <p>6 A. I don't know.</p> <p>7 Q. Does he report through the</p> <p>8 Homicide Unit or the Criminal</p> <p>9 Investigations Division?</p> <p>10 A. He's actually in the patrol</p> <p>11 division. He's assigned to patrol or he</p> <p>12 was assigned to patrol. I think he's</p> <p>13 since retired, but he is assigned to</p> <p>14 patrol and he would have took this report</p> <p>15 and probably went to his patrol supervisor</p> <p>16 to submit it.</p> <p>17 Q. Do you have any understanding of</p> <p>18 how the charges against Megan Rondini came</p> <p>19 to be investigated by the Criminal</p> <p>20 Investigations Division?</p> <p>21 A. No.</p> <p>22 Q. And as you sit here, you don't</p> <p>23 know whether or not it was ever presented</p>
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<p>1 to a grand jury?</p> <p>2 A. I don't.</p> <p>3 Q. Who would know that?</p> <p>4 A. I guess Investigator Nelson would</p> <p>5 know.</p> <p>6 Q. Anybody else?</p> <p>7 A. Probably whoever the sergeant or</p> <p>8 lieutenant was in Criminal Investigations</p> <p>9 at that time.</p> <p>10 Q. Okay.</p> <p>11 MS. BOLGER: J. T., can you</p> <p>12 hand the witness AO?</p> <p>13 MR. THOMPSON: Yeah.</p> <p>14 MS. BOLGER: And, Nancy,</p> <p>15 spoiler alert, this is going to be Exhibit</p> <p>16 35.</p> <p>17 (Off the record.)</p> <p>18 (Whereupon, a document was marked</p> <p>19 as Defendant's Exhibit No. 32 and</p> <p>20 is attached to the original</p> <p>21 transcript.)</p> <p>22 Q. For the record, Exhibit 32 is an</p> <p>23 affidavit of Investigator Adam Jones in</p>	<p>1 the matter of Rondini versus Terry Bunn,</p> <p>2 Jr., and it is dated May 17, 2019.</p> <p>3 Investigator Jones, do you</p> <p>4 remember signing this affidavit?</p> <p>5 A. I don't -- I don't remember.</p> <p>6 Q. Well, is that your signature on</p> <p>7 the back page?</p> <p>8 A. Yes.</p> <p>9 Q. Do you sign a lot of things under</p> <p>10 oath that you don't remember?</p> <p>11 A. It's just been a while since I've</p> <p>12 -- I just don't remember signing it.</p> <p>13 Q. Did you draft it?</p> <p>14 A. No.</p> <p>15 Q. Do you know who drafted it?</p> <p>16 A. I don't.</p> <p>17 Q. Do you know why you drafted it,</p> <p>18 why you signed it, what it was for?</p> <p>19 A. I don't remember.</p> <p>20 Q. If you take a look at the second</p> <p>21 page, the second graph says I then</p> <p>22 provided Ms. Rondini's phone. Do you see</p> <p>23 that?</p>

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<p>1 A. Yes.</p> <p>2 Q. Okay. And the last sentence of</p> <p>3 that paragraph says, in the course of my</p> <p>4 investigation I reviewed much of the data</p> <p>5 from Ms. Rondini's cell phone and the</p> <p>6 downloaded data because a part of the file</p> <p>7 for this file.</p> <p>8 Do you see that?</p> <p>9 A. Yes.</p> <p>10 Q. Is the only way that downloaded</p> <p>11 data became a part of the file for this</p> <p>12 case the DVD that was attached to the</p> <p>13 felony packet?</p> <p>14 A. To my knowledge, yes.</p> <p>15 Q. And as you sit here, you don't</p> <p>16 know the date on which you reviewed much</p> <p>17 of the data from Ms. Rondini's cell phone;</p> <p>18 correct?</p> <p>19 A. I don't.</p> <p>20 Q. But you know it wasn't before he</p> <p>21 was Mirandized; right?</p> <p>22 A. Right.</p> <p>23 Q. And then if you turn to the third</p>	<p>1 page, there's a reference that said, I</p> <p>2 also reviewed photos sent in Snapchat from</p> <p>3 Ms. Rondini's phone during the early</p> <p>4 morning hours of July 2, 2015 which are</p> <p>5 attached as Exhibit F to the Defendant's</p> <p>6 motion for summary judgment.</p> <p>7 Do you see that?</p> <p>8 A. Yes.</p> <p>9 Q. What are those Snapchat photos?</p> <p>10 A. I believe it was her taking</p> <p>11 photos, selfies in front of the animals in</p> <p>12 Bunn's house. There may be one or --</p> <p>13 maybe one or two more inside the house. I</p> <p>14 can't remember -- seems like I remember</p> <p>15 seeing animals in the background. I don't</p> <p>16 remember what was in the photos.</p> <p>17 Q. Do you remember why they were</p> <p>18 relevant in this litigation between</p> <p>19 Mr. Rondini and Terry Bunn?</p> <p>20 A. I don't.</p> <p>21 Q. When did you first come to know</p> <p>22 that BuzzFeed was doing -- actually how</p> <p>23 did you find out about Megan's death?</p>
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<p>1 A. Somebody told me about it, I do</p> <p>2 not remember who. I don't know if it was</p> <p>3 another investigator, if it came from the</p> <p>4 DA's office. I don't -- I don't remember.</p> <p>5 Q. Where were you when you were told?</p> <p>6 A. I was at work.</p> <p>7 Q. Did someone walk up to you at your</p> <p>8 desk and say Megan's dead, or what did</p> <p>9 they tell you?</p> <p>10 A. I can't remember the conversation</p> <p>11 exactly because I can't remember who told</p> <p>12 me.</p> <p>13 Q. Do you remember when Megan died?</p> <p>14 A. Was it -- it would be a guess. I</p> <p>15 don't know for sure. I'm thinking it was</p> <p>16 around the time that -- been December of</p> <p>17 '15 or January of '16. I don't remember.</p> <p>18 Q. Okay. So you don't remember who</p> <p>19 told you, you don't remember where they</p> <p>20 told, you don't remember when they told,</p> <p>21 you don't remember when she died.</p> <p>22 Do you have any memory of how you</p> <p>23 felt about hearing the news?</p>	<p>1 A. I mean, I hate that the Rondinis</p> <p>2 lost their daughter. I wouldn't wish that</p> <p>3 on anybody, but I do remember feeling</p> <p>4 sorry for the Rondini family.</p> <p>5 Q. Did you talk to anybody about it?</p> <p>6 A. No.</p> <p>7 Q. Did you talk to your wife about</p> <p>8 it?</p> <p>9 A. No.</p> <p>10 Q. Did you talk to Josh Hastings</p> <p>11 about it?</p> <p>12 A. I don't remember any conversation</p> <p>13 with him about it.</p> <p>14 Q. Did you talk to Captain Hood?</p> <p>15 A. I don't remember any conversation.</p> <p>16 Q. Captain Hart about it?</p> <p>17 A. I don't remember.</p> <p>18 Q. Do you remember hearing that on</p> <p>19 her suicide note she referred to herself</p> <p>20 as having been bullied by cops?</p> <p>21 A. I have heard that.</p> <p>22 Q. And when did you hear that?</p> <p>23 A. It was -- I believe it was in the</p>

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<p>1 BuzzFeed article.</p> <p>2 Q. The BuzzFeed article was the first</p> <p>3 time you heard about it?</p> <p>4 A. Yes.</p> <p>5 Q. Had you read any articles at all</p> <p>6 about Megan's death before the BuzzFeed</p> <p>7 article?</p> <p>8 A. No.</p> <p>9 Q. And you had no conversations with</p> <p>10 anybody about Megan's death before the</p> <p>11 BuzzFeed article?</p> <p>12 A. No.</p> <p>13 Q. Seems to me like that would have</p> <p>14 been a pretty serious bit of information</p> <p>15 to learn, to learn that this girl who came</p> <p>16 to you and alleged a sexual assault and</p> <p>17 then you were putting a felony packet</p> <p>18 together related to her sexual assault and</p> <p>19 waiting for it to be presented to a -- for</p> <p>20 you to present to a grand jury and learn</p> <p>21 she's dead feels like that would be pretty</p> <p>22 memorable. That wasn't memorable for you?</p> <p>23 MR. COCKRELL: Object to the</p>	<p>1 form.</p> <p>2 A. I just -- I don't remember when I</p> <p>3 heard it, when I heard about it.</p> <p>4 Q. (By Ms. Bolger) Well, that's kind</p> <p>5 of my point. You're going to a grand jury</p> <p>6 to present on something and then the girl</p> <p>7 dies and you don't even think to yourself</p> <p>8 oh, my God, I can't believe I went to the</p> <p>9 grand jury about it? You don't have any</p> <p>10 thoughts about it that you can remember?</p> <p>11 MR. COCKRELL: Object to the</p> <p>12 form.</p> <p>13 A. No.</p> <p>14 Q. (By Ms. Bolger) You have no</p> <p>15 thought of like, oh my God, this is a</p> <p>16 terrible tragedy?</p> <p>17 MR. COCKRELL: You can</p> <p>18 answer.</p> <p>19 A. Yeah, I mean, I hate that it</p> <p>20 happened. I mean, I had nothing against</p> <p>21 Megan. You know, I hate for her family</p> <p>22 that that happened. And there again, I</p> <p>23 wouldn't want that to happen to anybody</p>
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<p>1 but --</p> <p>2 Q. (By Ms. Bolger) But the</p> <p>3 conversation that someone told you this</p> <p>4 happened you can't even remember?</p> <p>5 MR. COCKRELL: Object to the</p> <p>6 form.</p> <p>7 A. I can't remember.</p> <p>8 MR. COCKRELL: Asked and</p> <p>9 answered.</p> <p>10 Q. (By Ms. Bolger) How did you first</p> <p>11 come to know that BuzzFeed was planning to</p> <p>12 do an article about Megan Rondini?</p> <p>13 A. We were getting some emails from</p> <p>14 Katie Baker asking questions about that</p> <p>15 case, so we were assuming that a story was</p> <p>16 coming.</p> <p>17 Q. So that you can remember, getting</p> <p>18 press inquiries about it?</p> <p>19 A. I remember getting emails, yes.</p> <p>20 Q. You can't remember the part where</p> <p>21 somebody tells you that this poor girl</p> <p>22 killed herself, but you can remember</p> <p>23 getting emails about yourself; right?</p>	<p>1 MR. COCKRELL: Object to the</p> <p>2 form.</p> <p>3 Q. (By Ms. Bolger) Right?</p> <p>4 A. Yes, I can't remember.</p> <p>5 Q. Okay. Who was getting emails?</p> <p>6 A. I know I got at least one. I</p> <p>7 believe Josh got one. He may have got</p> <p>8 more than that, I don't know. I at least</p> <p>9 got one. I don't who else got emails.</p> <p>10 Q. And do you remember when that was?</p> <p>11 A. Yes. It would have been before</p> <p>12 June of '17 before the story came out.</p> <p>13 That's the only thing I can remember.</p> <p>14 Q. You can't remember a specific</p> <p>15 date?</p> <p>16 A. No.</p> <p>17 Q. Do you know whether -- were you</p> <p>18 involved in any correspondence between</p> <p>19 Captain Hood and Katie Baker, the reporter</p> <p>20 at BuzzFeed?</p> <p>21 A. No.</p> <p>22 Q. Did you see it before it went out?</p> <p>23 A. No.</p>

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<p>1 MS. BOLGER: Okay. J. T.,</p> <p>2 can you hand the witness AA, which has</p> <p>3 never been marked and is Jones-Hastings</p> <p>4 193 through 204.</p> <p>5 And this will be Exhibit 33.</p> <p>6 (Whereupon, a document was marked</p> <p>7 as Defendant's Exhibit No. 33 and</p> <p>8 is attached to the original</p> <p>9 transcript.)</p> <p>10 Q. And for the record Exhibit 33 is</p> <p>11 an email from Gary Hood to Katie Baker</p> <p>12 dated June 9th, 2017, at 3:08 p m. and</p> <p>13 we've given it the Bates number</p> <p>14 Jones-Hastings 193.</p> <p>15 My first -- you're welcome to look</p> <p>16 through it, I'm not going to ask you very</p> <p>17 many questions, but my first question for</p> <p>18 you is have you ever seen this before?</p> <p>19 A. I've never seen it.</p> <p>20 Q. Have you seen the emails -- I know</p> <p>21 you've never seen this actual version of</p> <p>22 this document, but have you even emails</p> <p>23 contained in this string?</p>	<p>1 A. I've never seen it, no.</p> <p>2 Q. So just to speed it up a little</p> <p>3 bit, just to summarize, these are emails</p> <p>4 from Katie Baker asking specific factual</p> <p>5 questions of Captain Hood and Captain Hood</p> <p>6 responding to those. So you were not</p> <p>7 involved in crafting those responses at</p> <p>8 all?</p> <p>9 A. No.</p> <p>10 Q. If you see on the top of the very</p> <p>11 first page it list recipients, do you see</p> <p>12 that?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And there's Katie Baker,</p> <p>15 Sheriff Abernathy, Robert Spence. Do you</p> <p>16 know who Robert Spence is?</p> <p>17 A. He's the county attorney.</p> <p>18 Q. And there's Kip Hart, Jeremy</p> <p>19 Franks. Do you know who Jeremy Franks is?</p> <p>20 A. He's a sergeant in Homicide.</p> <p>21 Q. And was he your superior officer</p> <p>22 in Homicide?</p> <p>23 A. Yes.</p>
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<p>1 Q. Okay. And Robert Davis, who is</p> <p>2 also a sergeant in Homicide; right?</p> <p>3 A. Yes.</p> <p>4 Q. And then Josh Hastings. Do you</p> <p>5 see that?</p> <p>6 A. Yes.</p> <p>7 Q. You're not here; right?</p> <p>8 A. Right.</p> <p>9 Q. Is there some reason why Josh</p> <p>10 Hastings would be copied on this</p> <p>11 correspondence but you wouldn't be, given</p> <p>12 that the investigation was done by the two</p> <p>13 of you?</p> <p>14 A. I don't know.</p> <p>15 Q. No one ever said to you, hey, can</p> <p>16 you help us out in crafting response to</p> <p>17 these emails?</p> <p>18 A. No.</p> <p>19 Q. Did you know that Captain Hood was</p> <p>20 responding to questions from Katie Baker</p> <p>21 when she was asking questions?</p> <p>22 A. I believe -- I remember him</p> <p>23 mentioning something about it, but I don't</p>	<p>1 know -- he didn't mention any questions or</p> <p>2 anything. He was just -- it was just like</p> <p>3 a general statement of responding I need</p> <p>4 to do an email back to BuzzFeed or</p> <p>5 something to that effect.</p> <p>6 Q. Were you concerned about the</p> <p>7 contents of what -- would you have liked</p> <p>8 to have seen the contents of this article</p> <p>9 -- sorry, of this email?</p> <p>10 A. I mean -- I guess they had a</p> <p>11 reason why I wasn't in the chain there,</p> <p>12 but I don't know, I don't know why I</p> <p>13 wasn't.</p> <p>14 Q. So my question is would you have</p> <p>15 liked to have seen it?</p> <p>16 A. Yeah, I would.</p> <p>17 Q. You did, in fact, speak to Katie</p> <p>18 Baker on the phone once; correct?</p> <p>19 A. If I do, I don't remember that.</p> <p>20 Q. Okay.</p> <p>21 MS. BOLGER: J. T., can you</p> <p>22 show the witness AN, which is the BuzzFeed</p> <p>23 1630?</p>

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<p>1 (Whereupon, a document was marked 2 as Defendant's Exhibit No. 34 and 3 is attached to the original 4 transcript.) 5 Q. And for the record, while 6 Investigator Jones is just acquainting 7 himself with the exhibit, this is an email 8 from Katie Baker to AJones@tcsaal.org 9 dated June 6, 2017 with the subject Megan 10 Rondini story. 11 Investigator Jones, my question is 12 just have you ever seen this before? 13 A. Yes. 14 Q. Okay. And you'll see -- did you 15 receive it on or about the time it's 16 dated? 17 A. Yes. 18 Q. And you'll see it asks -- it 19 starts with thanks for speaking just now. 20 I'm going to not shock you and let you 21 know that that's why I think you spoke to 22 Katie Baker at some point. Does that 23 refresh your memory at all?</p>	<p>1 A. And I'm not saying that I didn't, 2 but typically if it's any media format of 3 any kind calling about a case, it's always 4 referred to supervisors and that would 5 have been pretty much the extent of it. 6 That's probably why I don't remember it 7 because we've had media call before and 8 it's just referred to a supervisor. 9 Q. Okay. Did you ever -- as you'll 10 see in the email there's several questions 11 that get asked. 12 Do you see that? Katie asked 13 several questions that are in bold? 14 A. Yes, yes, yes. 15 Q. Did anyone ever ask you to answer 16 those questions? 17 A. No. 18 Q. Did anybody talk to you about 19 responding to this particular email? 20 A. No. 21 Q. You forward this, I can tell you 22 but I can show you but it would take time 23 so just take my word for it, that this was</p>
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<p>1 forwarded on to Captain Hart. 2 A. Yes. 3 Q. You forwarded it to Captain Hart. 4 And you said in that email, just received 5 this from BuzzFeed. Does that refresh 6 your memory that you, in fact, sent it 7 onto Captain Hart? 8 A. Yes. 9 Q. And why did you sent it onto 10 Captain Hart? 11 A. It was just a media inquiry, you 12 know, so it was just forwarded to the 13 supervisors. 14 Q. Did you have a conversation with 15 Captain Hart about it? 16 A. Not that I remember. 17 Q. So you're getting all of these 18 press inquiries about this BuzzFeed 19 article. You know you've got them. You 20 know Josh Hastings is getting them. You 21 know other people are getting them. Were 22 you guys talking about these inquiries? 23 A. I don't remember any conversations</p>	<p>1 about it. 2 Q. What was your reaction to getting 3 these inquiries? 4 A. I was just assuming that there was 5 going to be a story written about this 6 case. 7 Q. And were you worried about that? 8 Happy about that? What was your reaction? 9 A. I don't remember -- I don't 10 remember having any feeling one way or the 11 other about it. 12 Q. If you take a look at the first 13 paragraph in the email that's in front of 14 you -- sorry, if you take a look at the 15 email that's in front of you and you look 16 at the third paragraph, right, it starts I 17 can see from the tape that you quickly 18 decided that Megan hadn't earnestly 19 resisted Bunn as per Alabama law, but you 20 also built a case against Megan, 21 questioned her for multiple felonies she 22 didn't realize she had committed. 23 Do you see that?</p>

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<p>1 A. Yes.</p> <p>2 Q. Do you feel that's an accurate</p> <p>3 assessment of what happened?</p> <p>4 A. No.</p> <p>5 Q. What's inaccurate about it?</p> <p>6 A. It's not a quick decision. You</p> <p>7 know, like it states here, it's a quick</p> <p>8 decision that you said that she hadn't</p> <p>9 earnestly resisted. That was part of the</p> <p>10 interview process to try to get more</p> <p>11 information and, you know, I didn't build</p> <p>12 a case against Megan.</p> <p>13 Q. What else is inaccurate about</p> <p>14 that?</p> <p>15 A. That's pretty much it.</p> <p>16 Q. And on the next paragraph it says,</p> <p>17 "The IACP tells the police not to pressure</p> <p>18 victims to make any decision about</p> <p>19 prosecution during the initial stages of</p> <p>20 the investigation. At the end of the</p> <p>21 interview you offered Megan a refusal to</p> <p>22 prosecute form. Do homicide department</p> <p>23 investigators regularly undergo any type</p>	<p>1 of assault training? If so, please</p> <p>2 explain what type of trainings and how</p> <p>3 often they were held. I would also love</p> <p>4 to hear more about your general policies</p> <p>5 and practices around sexual assault</p> <p>6 investigations."</p> <p>7 Do you see that?</p> <p>8 A. Yes.</p> <p>9 Q. What would your response be to the</p> <p>10 question do department homicide</p> <p>11 investigators regularly undergo any type</p> <p>12 of sexual assault investigation training?</p> <p>13 A. You know, if there's training out</p> <p>14 there and we have availability to go, you</p> <p>15 know, we're sent. It's not as easy as go</p> <p>16 to a class. You know, a lot of our</p> <p>17 training that we get is on the job.</p> <p>18 Q. And the next paragraph says,</p> <p>19 Captain Hood told BuzzFeed that as many as</p> <p>20 40 percent of all reported sexual assaults</p> <p>21 in Tuscaloosa are labeled special inquiry,</p> <p>22 a term for cases where there is "not</p> <p>23 enough information initially to meet the</p>
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<p>1 element of a crime".</p> <p>2 Could you further clarify the</p> <p>3 meaning behind special inquiry? Is it</p> <p>4 just sex crimes that can be labeled</p> <p>5 special inquiry or other crimes as well?</p> <p>6 How would you answer that last</p> <p>7 question? I'll ask you another one, which</p> <p>8 is that you've testified that it isn't</p> <p>9 just sex crimes that are labeled special</p> <p>10 inquiry. There are other crimes as well.</p> <p>11 In your experience what percentage</p> <p>12 of inquiry investigation are sex crimes?</p> <p>13 A. Just my opinion on that, Captain</p> <p>14 Hood is probably correct on the</p> <p>15 percentage.</p> <p>16 Q. But I'm asking you a different</p> <p>17 one, which is what percentage of special</p> <p>18 inquiries are sexual assaults.</p> <p>19 So the question Captain Hood</p> <p>20 answered is what percentage of sexual</p> <p>21 assaults are labeled special inquiry.</p> <p>22 I'm actually asking the opposite.</p> <p>23 I'm asking you what percentage of actual</p>	<p>1 crimes labeled special inquiry are sex</p> <p>2 crimes?</p> <p>3 A. I don't know. I don't even have a</p> <p>4 guess because I don't -- I don't look at</p> <p>5 stats usually. It's -- that's a</p> <p>6 supervisor that goes through. You know,</p> <p>7 they do their reporting to, you know, the</p> <p>8 FBI or whatever the crime stats are, so I</p> <p>9 don't -- I don't even have a good,</p> <p>10 educated guess on it.</p> <p>11 Q. What about in your experience when</p> <p>12 you labeled crimes special inquiry, what</p> <p>13 percentage of your experience of labeling</p> <p>14 crimes special inquiry related to sex</p> <p>15 crimes?</p> <p>16 A. I would probably say 30 to</p> <p>17 40 percent, just on my experience.</p> <p>18 Q. Of the other 60 to 70 percent of</p> <p>19 crimes, was there one other crime that was</p> <p>20 as high a percentage of sex crimes of</p> <p>21 special inquiry as sex crimes are? In</p> <p>22 other words, were there some other crimes</p> <p>23 that was also 30 to 40 percent or were</p>

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<p>1 they -- is it just the other 70 -- 60 to</p> <p>2 70 percent composed of various other</p> <p>3 things?</p> <p>4 A. Yeah, it was just various other</p> <p>5 things.</p> <p>6 Q. Okay. Did you want to respond</p> <p>7 substantively to these questions from</p> <p>8 Katie Baker or were you happy to not</p> <p>9 respond?</p> <p>10 A. Honestly, I mean, we just don't</p> <p>11 ever -- nobody ever talks to the media as</p> <p>12 far as investigators go. We always</p> <p>13 forward it onto the supervisors, so that's</p> <p>14 what I did. I didn't feel one way or</p> <p>15 another about answering it.</p> <p>16 Q. Okay.</p> <p>17 MS. BOLGER: All right. Why</p> <p>18 don't we go off the record, guys, and take</p> <p>19 like a ten-minute break? Bob, maybe you</p> <p>20 can get to the bottom of how you want to</p> <p>21 proceed about the grand jury stuff and</p> <p>22 then we'll come back.</p> <p>23 MR. COCKRELL: I've got</p>	<p>1 Scotch looking at. I haven't heard from</p> <p>2 him yet.</p> <p>3 VIDEOGRAPHER: We're off the</p> <p>4 record at 3:54 p m.</p> <p>5 (Recess was taken.)</p> <p>6 (Mr. Hastings did not return from recess.)</p> <p>7 VIDEOGRAPHER: We're back on</p> <p>8 the record at 4:10 p m.</p> <p>9 MS. BOLGER: While we were</p> <p>10 taking a break, we kind of all had a</p> <p>11 colloquy about what to do about asking</p> <p>12 questions about what Investigator Jones</p> <p>13 did or did not say in the grand jury.</p> <p>14 I have questions about what</p> <p>15 Investigator Jones said and what evidence</p> <p>16 was presented to the grand jury, which I</p> <p>17 think are relevant to the question of</p> <p>18 whether the article is materially false,</p> <p>19 which, of course, is a burden that's on</p> <p>20 the plaintiffs to prove or substantially</p> <p>21 true, which I'm entitled to seek to prove.</p> <p>22 I understand that Bob, and he can</p> <p>23 speak for himself, has done research which</p>
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<p>1 lends him to believe that this line of</p> <p>2 questioning would be a felony under</p> <p>3 Alabama law.</p> <p>4 I obviously have no interest</p> <p>5 in committing a felony, but I do have an</p> <p>6 interest in obtaining discoverable</p> <p>7 information relevant to a central issue in</p> <p>8 the case. So I'm not going to ask the</p> <p>9 questions today, but I want to be totally</p> <p>10 clear that the questions I would ask were</p> <p>11 what information -- what Mr. Jones,</p> <p>12 Investigator Jones said to the grand jury</p> <p>13 and what information was presented to the</p> <p>14 grand jury.</p> <p>15 I wouldn't ask about anybody</p> <p>16 else's testimony. It would just be what</p> <p>17 Mr. Jones did, which under New York law,</p> <p>18 by the way, I'm entitled to ask. And so</p> <p>19 we will raise that issue with Judge</p> <p>20 Proctor should we need to do so, and we'll</p> <p>21 have to come back another day to have that</p> <p>22 exchange. Bob, anything to add?</p> <p>23 MR. COCKRELL: No, just be a</p>	<p>1 standing objection and I just have to</p> <p>2 instruct him not to answer based on the</p> <p>3 research that Scotch did while we were,</p> <p>4 you know, since he left.</p> <p>5 MS. BOLGER: Okay. So why</p> <p>6 don't we move on and we'll revisit the</p> <p>7 issue before Judge Proctor.</p> <p>8 Q. Okay. So Investigator Jones,</p> <p>9 there did come a time when BuzzFeed</p> <p>10 published an article about the Rondini</p> <p>11 investigation; correct?</p> <p>12 A. Yes.</p> <p>13 Q. Have you read the article?</p> <p>14 A. Yes.</p> <p>15 Q. How many times have you read the</p> <p>16 article?</p> <p>17 A. I would say a couple of times.</p> <p>18 Q. When was the last time you read</p> <p>19 it?</p> <p>20 A. It's been a few weeks. A few</p> <p>21 weeks. Probably a month or longer.</p> <p>22 Q. Okay. A couple of times, I was</p> <p>23 thinking you meant two. Do you mean more</p>



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<p>1 than that?</p> <p>2 A. Talking about more than two</p> <p>3 months?</p> <p>4 Q. No, more than two -- you said you</p> <p>5 had read the article a couple of times. I</p> <p>6 took that to mean two. Do you mean more</p> <p>7 than two?</p> <p>8 A. Yeah, just a couple of times.</p> <p>9 Q. Why did you read it a couple of</p> <p>10 months ago?</p> <p>11 A. Just to read it again, I mean.</p> <p>12 Q. Okay. What is your reaction to</p> <p>13 the article?</p> <p>14 A. I just feel like there were</p> <p>15 cherry-picked items about the case that</p> <p>16 were published and the entire case was not</p> <p>17 presented.</p> <p>18 Q. What items do you think were not</p> <p>19 presented?</p> <p>20 A. Well, the text messages. As far</p> <p>21 as specifics, it just painted us in a</p> <p>22 false light, that we didn't do our jobs</p> <p>23 and basically we are sellouts to people</p>	<p>1 with money, you know, they control the</p> <p>2 police department or sheriff's office and</p> <p>3 it's just -- it's not -- it's not the way</p> <p>4 it is at all.</p> <p>5 Q. Now, the article doesn't say</p> <p>6 you're sellouts to people with money. It</p> <p>7 doesn't use those words; right?</p> <p>8 A. That's right. It doesn't use</p> <p>9 those words.</p> <p>10 Q. You're saying it implies that;</p> <p>11 right?</p> <p>12 A. Yes.</p> <p>13 Q. What are the facts that you claim</p> <p>14 it asserts to create that implication?</p> <p>15 A. It's more of the omitted facts.</p> <p>16 You know, and as far as they're attacking</p> <p>17 Josh and I for state law that, you know, I</p> <p>18 don't have any part in writing any law for</p> <p>19 state or anything to that effect. I just</p> <p>20 have to enforce what's there and --</p> <p>21 Q. What are the omitted facts?</p> <p>22 A. Well, you know, like I say, the</p> <p>23 text messages that was in the file.</p>
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<p>1 Q. The text messages that you didn't</p> <p>2 have when you Mirandized Rondini; right?</p> <p>3 A. I didn't have the disc, yes.</p> <p>4 Q. And the text messages that weren't</p> <p>5 in the felony packet -- weren't discussed</p> <p>6 in the felony packet; right?</p> <p>7 A. Right.</p> <p>8 Q. And you had no -- they bore no</p> <p>9 part of your decision-making when it came</p> <p>10 to interviewing Megan or Mirandizing</p> <p>11 Megan; right? Correct?</p> <p>12 A. Right.</p> <p>13 Q. What else was omitted from the</p> <p>14 article? What else are the omitted facts</p> <p>15 that you're referring to?</p> <p>16 A. Do we have a copy of the article</p> <p>17 itself that I could look at?</p> <p>18 Q. We have, but I'm curious to know</p> <p>19 what your thoughts are. You are</p> <p>20 testifying that the article damaged you.</p> <p>21 I believe you. I want to hear about it.</p> <p>22 I don't need you to go through the</p> <p>23 article. I want to know what your</p>	<p>1 thoughts are. What else was false in the</p> <p>2 article?</p> <p>3 A. Well, I just -- I just feel like</p> <p>4 it showed law enforcement in general in a</p> <p>5 false light, and, you know, showing that</p> <p>6 we didn't care. We were just worried</p> <p>7 about this rich guy that, you know, got a</p> <p>8 big construction company in town and that</p> <p>9 just has nothing to do with our</p> <p>10 investigation. It's just the way that it</p> <p>11 was slanted to give us, give our names,</p> <p>12 give us a bad reputation and hurt our</p> <p>13 name.</p> <p>14 Q. So you did not like the article's</p> <p>15 opinion of the investigation?</p> <p>16 A. No.</p> <p>17 Q. Anything else you would like to</p> <p>18 tell me that was false about the article?</p> <p>19 A. I mean, the main thing for me was</p> <p>20 the way it, you know, it mentioned us</p> <p>21 that, you know, it just cast a negative</p> <p>22 light on our names when we went by the law</p> <p>23 that is on the books.</p>

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<p style="text-align: right;">Page 337</p> <p>1 We didn't make up anything, and,</p> <p>2 you know, that's what we have to work with</p> <p>3 and, you know, it just sort of cast us in</p> <p>4 a light that we could be bought and it's</p> <p>5 just not true, I mean.</p> <p>6 Q. Where in the article does it talk</p> <p>7 about money in terms of buying you? You</p> <p>8 keep saying the phrase bought and I don't</p> <p>9 know if you mean actually bribed.</p> <p>10 A. Well, it's just the insinuation</p> <p>11 that rich, powerful people can get their</p> <p>12 way or get around police investigations</p> <p>13 and that seems to be a standard protocol</p> <p>14 around here, but that's nothing -- and</p> <p>15 that's nothing that -- those words exactly</p> <p>16 but that's the spin that it puts.</p> <p>17 MS. BOLGER: J. T., can you</p> <p>18 -- well, before you do that.</p> <p>19 Q. Okay, after the article was</p> <p>20 published -- well, I guess when did you</p> <p>21 first see the article?</p> <p>22 A. It was probably on the day that it</p> <p>23 was published.</p>	<p style="text-align: right;">Page 338</p> <p>1 Q. How did you hear about it?</p> <p>2 A. Somebody had told me that it was</p> <p>3 published and I went to BuzzFeed and read</p> <p>4 it.</p> <p>5 Q. Who told you it was published?</p> <p>6 A. I don't remember.</p> <p>7 Q. Did you talk to Josh Hastings</p> <p>8 about it when it was published?</p> <p>9 A. Yes.</p> <p>10 Q. What did you guys say to each</p> <p>11 other?</p> <p>12 A. I don't remember the conversation.</p> <p>13 Just basically saying that, you know, it</p> <p>14 makes us look like the bad guys in this</p> <p>15 thing, something to that effect. I don't</p> <p>16 remember specific conversation.</p> <p>17 Q. Were you in the office at the</p> <p>18 time?</p> <p>19 A. Yes.</p> <p>20 Q. And did you speak to Captain Hood</p> <p>21 about the article at the time it was</p> <p>22 published?</p> <p>23 A. I don't remember speaking to him.</p>
<p style="text-align: right;">Page 339</p> <p>1 Q. What about Captain Hart?</p> <p>2 A. I don't remember speaking to him.</p> <p>3 Q. You don't remember speaking to</p> <p>4 Captain Hart about the article?</p> <p>5 A. No.</p> <p>6 Q. Ever?</p> <p>7 A. Not ever. That particular day I</p> <p>8 don't remember anything. I don't remember</p> <p>9 a conversation even later on about the --</p> <p>10 about the article.</p> <p>11 Q. Okay.</p> <p>12 MS. BOLGER: J. T., can I</p> <p>13 ask that you show the witness M that was</p> <p>14 previously marked as Exhibit 25 and is</p> <p>15 Jones-Hastings 187.</p> <p>16 (Off the record.)</p> <p>17 (Whereupon, a document that was</p> <p>18 previously marked as Defendant's</p> <p>19 Exhibit No. 25 was referenced and</p> <p>20 is attached to the original</p> <p>21 transcript.)</p> <p>22 Q. For the record, this is an email</p> <p>23 Josh Hastings 187, previously marked as</p>	<p style="text-align: right;">Page 340</p> <p>1 Exhibits 25. Investigator Jones, you'll</p> <p>2 see that the first email is an email from</p> <p>3 you to Kip Hart that says may get more of</p> <p>4 these, and if you look below it's a</p> <p>5 comment from someone named Emily Furnish</p> <p>6 on the article.</p> <p>7 Do you remember this email?</p> <p>8 A. I don't.</p> <p>9 Q. Do you have any reason to doubt</p> <p>10 that you sent this to Kip Hart?</p> <p>11 A. I don't.</p> <p>12 Q. I know you don't remember any</p> <p>13 specific conversations with Captain Hood</p> <p>14 or Captain Hart. Do you remember any</p> <p>15 specific conversations with any of your</p> <p>16 supervisors about the article?</p> <p>17 A. I don't.</p> <p>18 Q. Do you remember any conversation</p> <p>19 with anybody at the Tuscaloosa Police</p> <p>20 Department or in the Homicide Unit about</p> <p>21 the article?</p> <p>22 A. No.</p> <p>23 Q. Just going to again remind you</p>

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<p>1 this is an article that you say caused you</p> <p>2 tremendous damage, but you don't remember</p> <p>3 talking about it to anybody at work?</p> <p>4 A. Well, I usually keep things to</p> <p>5 myself, I mean that's just my nature. You</p> <p>6 know, I didn't -- it was bad enough that</p> <p>7 it was published in a negative light on me</p> <p>8 so, you know, I really -- I don't care in</p> <p>9 bringing it up.</p> <p>10 Q. Did anybody in your office -- did</p> <p>11 you ever talk to anybody at work about</p> <p>12 this article?</p> <p>13 A. Really just Josh, and there again,</p> <p>14 I don't remember any specific</p> <p>15 conversations. I know we've talked about</p> <p>16 it but --</p> <p>17 Q. Did anybody at work ever raise the</p> <p>18 subject with you?</p> <p>19 A. Not that I can remember.</p> <p>20 Q. Do you have any knowledge of</p> <p>21 anybody -- any conversations anybody at</p> <p>22 work had about the article?</p> <p>23 A. I don't have any knowledge of it.</p>	<p>1 Q. Do you have any reason to believe</p> <p>2 that this article affected your career in</p> <p>3 the Tuscaloosa Police Department?</p> <p>4 A. I feel like it did, not maybe as</p> <p>5 much with individual officers. It was</p> <p>6 more of my job that investigating crimes</p> <p>7 that when, you know, I was contacted by --</p> <p>8 or I would contact victims, they, you</p> <p>9 know, on a couple of occasions they</p> <p>10 recognized my name and, you know, didn't</p> <p>11 want me to investigate the case based on</p> <p>12 this article.</p> <p>13 Q. Let's unpack that for a second.</p> <p>14 My actual -- my focus should have been</p> <p>15 more clear. Let's talk about that victim</p> <p>16 in one second. Did anybody -- do you have</p> <p>17 an impression that the name -- the article</p> <p>18 had anything to do with how people in the</p> <p>19 Tuscaloosa Police Department or the</p> <p>20 Homicide Unit viewed you or made decisions</p> <p>21 about your career?</p> <p>22 A. No.</p> <p>23 Q. Do you have any reason to believe</p>
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<p>1 that anybody in the Tuscaloosa Police</p> <p>2 Department or the Homicide Unit thought</p> <p>3 less of you because of the article?</p> <p>4 A. Not anybody in Homicide.</p> <p>5 Q. How about the Tuscaloosa Police</p> <p>6 Department?</p> <p>7 A. Well, you know, and there again, I</p> <p>8 never got any emails or conversations with</p> <p>9 the police chief or anything like that.</p> <p>10 I guess it was more of the</p> <p>11 omission of reaching out and saying, you</p> <p>12 know, I know that y'all did everything</p> <p>13 that you could do in this investigation</p> <p>14 and you know, that didn't happen. You</p> <p>15 know, the former police chief did; I do</p> <p>16 remember that.</p> <p>17 Q. Sorry, the former police chief of</p> <p>18 the Tuscaloosa Police Department reached</p> <p>19 out to you in support?</p> <p>20 A. Yes.</p> <p>21 Q. But you're saying the Tuscaloosa</p> <p>22 chief of police did not reach out to you</p> <p>23 in support?</p>	<p>1 A. Right.</p> <p>2 Q. And what is your basis for</p> <p>3 believing that that was because he thought</p> <p>4 less of you as a result of the article?</p> <p>5 A. Well, I mean, he's your boss. I</p> <p>6 mean, you've got a guy that works for you,</p> <p>7 you know, I have never had any</p> <p>8 disciplinary issues, you know, nothing</p> <p>9 negative in my file, you know, negative of</p> <p>10 any kind and he don't reach out and say,</p> <p>11 you know, just I'm here for you if you</p> <p>12 need me.</p> <p>13 You know, maybe that was his</p> <p>14 personality, I don't know, but, you know,</p> <p>15 it just -- it felt like I guess he didn't</p> <p>16 have my back. That's the way it felt to</p> <p>17 me.</p> <p>18 Q. How long had you known the chief</p> <p>19 of police at that point?</p> <p>20 A. I had known him for 15 years.</p> <p>21 Q. Were you close?</p> <p>22 A. Not -- not on a friendly basis as</p> <p>23 far as, you know, spending time going out</p>

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1 to eat or anything like that or at each  
 2 other's homes.  
 3 Q. So as you sit here, his failure to  
 4 reach out to you could have been just his  
 5 personality or that he thought less of you  
 6 and you have no way of knowing; right?  
 7 A. Right.  
 8 Q. Other than feeling like the chief  
 9 omitted to talk to you, do you have any  
 10 other basis to believe that anybody in the  
 11 Tuscaloosa Police Department thought less  
 12 of you because of the article?  
 13 A. No.  
 14 Q. Do you have any reason to believe  
 15 that you were denied any form of promotion  
 16 because of the article?  
 17 A. No.  
 18 Q. The promotion above investigator  
 19 would be sheriff; right?  
 20 A. No, probably be sergeant. You  
 21 would go --  
 22 Q. I'm sorry, I meant sergeant, and I  
 23 apologize. Did you ever seek to become a

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1 or the Homicide Unit, were people  
 2 critical, did you feel, of you as a result  
 3 of the article?  
 4 A. Yes, I know right after it was  
 5 published I was getting phone calls at my  
 6 desk, you know, it was just basically  
 7 calling for me to go to jail, you know,  
 8 comments on the article itself, you know.  
 9 You know, there was a couple that  
 10 actually wished harm on my daughter or  
 11 kids in general. I think one specifically  
 12 said something about my daughter, not by  
 13 name. It was just, you know, if he had a  
 14 daughter, it would have been different or  
 15 hopefully this never happens to his  
 16 daughter or something to that effect.  
 17 Q. I'm sorry. The wish was that if  
 18 he had a daughter -- it wasn't I hope this  
 19 happens to his daughter; right?  
 20 A. Well, it was the gist of, you  
 21 know, this -- if this happened to his  
 22 daughter or something like that, you know,  
 23 it would have been different, something to

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1 sergeant?  
 2 A. I took the sergeant's test one  
 3 time when I was in Criminal Investigations  
 4 and there were several people, I don't  
 5 even remember how many people took it. I  
 6 took it one time. It was just never --  
 7 never appealed to me to be a supervisor.  
 8 I mean, I just like the hands-on work, not  
 9 saying that supervisors are not, but it's  
 10 just the work itself is what I enjoyed.  
 11 Q. So as I understand your testimony,  
 12 when the article was published no one in  
 13 the Tuscaloosa Police Department reached  
 14 out to you to say like -- reached out to  
 15 you to talk about the article and no one  
 16 thought less of you; right?  
 17 A. Right.  
 18 Q. And when the article was published  
 19 no one in the Homicide Unit reached out to  
 20 you to talk about it and no one thought  
 21 less of you as a result of it; right?  
 22 A. Right.  
 23 Q. Outside of the police department

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1 that effect. I don't remember the exact  
 2 wording. It was more of a threatening  
 3 manner than just a statement.  
 4 Q. Who was that?  
 5 A. It was just a comment that I saw  
 6 on this article.  
 7 Q. Do you even know if that was a  
 8 real person?  
 9 A. I don't. That's the --  
 10 Q. Did you -- I'm sorry, I didn't  
 11 mean to cut you off. That was a lag.  
 12 What were you about to say?  
 13 A. I was just, you know, that that's  
 14 the, you know, the bad part is the unknown  
 15 for me. You know, I don't know if that's  
 16 somebody that's here in Tuscaloosa that,  
 17 you know, where they're located and, you  
 18 know, as a dad and everything else, you  
 19 know, you're looking -- trying to look out  
 20 for your kids to, you know, hope nothing  
 21 happens to them because you don't know  
 22 what kind of folks these are, you know.  
 23 They're radical whatever, you

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<p>1 know. It's just the fear of the unknown</p> <p>2 basically.</p> <p>3 Q. Okay. You said you got a lot of</p> <p>4 phone calls to your desk. Can you tell me</p> <p>5 more about that?</p> <p>6 A. It was basically just people I</p> <p>7 wouldn't recognize the numbers or they</p> <p>8 would block the numbers, call and say you</p> <p>9 should be in jail, I hope y'all spend the</p> <p>10 rest of your lives in jail, you know,</p> <p>11 y'all could have done so much more to help</p> <p>12 her and, you know, those were constant for</p> <p>13 several months and --</p> <p>14 Q. How many phone calls were there?</p> <p>15 A. It was dozens. I don't have a</p> <p>16 number. It was just constant, I mean, for</p> <p>17 several months, and it got to the point</p> <p>18 that I had to talk to Captain Hart about,</p> <p>19 you know, I'm just going to have to wait</p> <p>20 until I get a voicemail from, you know, if</p> <p>21 it's a victim that I'm working the case</p> <p>22 on, I'm going to have to get the voicemail</p> <p>23 from them and then call them back because,</p>	<p>1 you know, every time -- seemed like every</p> <p>2 time I was answering the phone there for a</p> <p>3 couple of months it was somebody calling</p> <p>4 and making, you know, comments about we</p> <p>5 should go to jail and something to that</p> <p>6 effect.</p> <p>7 But where I guess it hit closer to</p> <p>8 home was when it was after the article was</p> <p>9 published we were on the beach, we had</p> <p>10 went to the beach for two or three days, I</p> <p>11 don't remember how long, and I had</p> <p>12 actually got a call from Captain Hart and</p> <p>13 he said that it was a dad, I had a case, I</p> <p>14 was working a case his daughter was a</p> <p>15 victim and he didn't want me working the</p> <p>16 case.</p> <p>17 So he was just calling to let me</p> <p>18 know that, and, I mean, I really didn't</p> <p>19 know, what to -- what to do or think</p> <p>20 because, you know, if these calls start</p> <p>21 coming in like this, you know, I'm going</p> <p>22 to end up -- they're going to move me out</p> <p>23 of homicide because nobody is going to</p>
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<p>1 want me to work their case, and --</p> <p>2 Q. That never happened though; right?</p> <p>3 You never got moved?</p> <p>4 A. No, I was never moved out of</p> <p>5 homicide, no.</p> <p>6 Q. Do you have call logs or any</p> <p>7 records of these constant phone calls as</p> <p>8 you said?</p> <p>9 A. I don't.</p> <p>10 Q. Is there any way to get them at</p> <p>11 the Homicide Unit?</p> <p>12 A. I don't think so. I'm not sure on</p> <p>13 that though. Probably be through their IT</p> <p>14 department.</p> <p>15 Q. Did any of the callers identify</p> <p>16 themselves to you?</p> <p>17 A. No.</p> <p>18 Q. How do you know it wasn't just one</p> <p>19 person calling you over and over?</p> <p>20 A. I don't. It was either blocked</p> <p>21 numbers or the number did appear to change</p> <p>22 so.</p> <p>23 Q. It was blocked numbers?</p>	<p>1 A. Well, some of them were blocked</p> <p>2 that, you know, it would show up unknown</p> <p>3 -- I'm sorry, not blocked. It would show</p> <p>4 up unknown on the caller ID screen from my</p> <p>5 desk phone. And then sometimes it would</p> <p>6 be a number show up, so.</p> <p>7 MS. BOLGER: J. T., would</p> <p>8 you show Investigator Jones AZ, which is</p> <p>9 Jones Hastings 434 through 441.</p> <p>10 And, Nancy, if you would</p> <p>11 mark that this time actually as Exhibit</p> <p>12 35.</p> <p>13 (Whereupon, a document was marked</p> <p>14 as Defendant's Exhibit No. 35 and</p> <p>15 is attached to the original</p> <p>16 transcript.)</p> <p>17 Q. For the record, the witness is</p> <p>18 looking at a document that bears the Bates</p> <p>19 number 434 through 441, which was produced</p> <p>20 by Jones-Hastings in this litigation.</p> <p>21 You're welcome to take a look,</p> <p>22 Investigator Jones, but my question is</p> <p>23 going to be what is this?</p>

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<p>1 A. It looks like comments. I don't</p> <p>2 know if this is Facebook or on the</p> <p>3 BuzzFeed article itself.</p> <p>4 Q. You told me that you didn't have a</p> <p>5 Facebook page?</p> <p>6 A. Yes, I don't.</p> <p>7 Q. So did you ever look at Facebook</p> <p>8 comments for the article?</p> <p>9 A. Usually when my wife would tell me</p> <p>10 about it, you know, I would look, just</p> <p>11 more than anything I wanted to make sure</p> <p>12 that, you know, if I knew somebody, just</p> <p>13 the type people that we deal with, make</p> <p>14 sure that it was nobody that would cause,</p> <p>15 you know, any physical harm obviously to</p> <p>16 my family.</p> <p>17 Q. Okay. Is this printed out of</p> <p>18 these comments from you?</p> <p>19 A. No, I didn't do that.</p> <p>20 Q. Okay. So you've never seen these</p> <p>21 before?</p> <p>22 A. No.</p> <p>23 Q. Okay, I'll have to ask</p>	<p>1 Investigator Hastings tomorrow.</p> <p>2 When you looked at Facebook</p> <p>3 comments that your wife drew your</p> <p>4 attention to, did you -- what did you see?</p> <p>5 A. Well, there were some people that</p> <p>6 we knew that, you know, would share the</p> <p>7 article and there would be some to make</p> <p>8 comments, and, you know, the way I see it</p> <p>9 if they're sharing it, they believe it,</p> <p>10 so, you know, one person in particular</p> <p>11 shared it and made the comment to the</p> <p>12 effect of heads should roll.</p> <p>13 Q. What is the basis for your belief</p> <p>14 that if people are sharing the article,</p> <p>15 they believe it?</p> <p>16 A. Well, I mean there are people out</p> <p>17 there that like to spread lies, so I guess</p> <p>18 I just assume that if they share it, I</p> <p>19 mean, I'm not -- I'm not up to speed on</p> <p>20 Facebook so I just assume that if people</p> <p>21 share a story, that, you know, to their</p> <p>22 knowledge, to their good faith that it's</p> <p>23 true, they think it's true.</p>
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<p>1 Q. Don't people sometimes just</p> <p>2 forward things along to other people that</p> <p>3 have shared common experiences and common</p> <p>4 people? So in other words, if you're in</p> <p>5 your school and there's an article about</p> <p>6 someone else in the school, don't people</p> <p>7 just forward it along?</p> <p>8 MR. COCKRELL: Object to the</p> <p>9 form.</p> <p>10 Go ahead.</p> <p>11 A. I guess they could.</p> <p>12 Q. (By Ms. Bolger) Sure. So you</p> <p>13 don't actually have a reason to believe</p> <p>14 that sharing it meant believing it other</p> <p>15 than your own personal belief, right?</p> <p>16 MR. COCKRELL: Object to the</p> <p>17 form.</p> <p>18 A. Right, other than, you know, like</p> <p>19 I was mentioning, you know, people saying</p> <p>20 heads should roll. You know, the guy that</p> <p>21 I'm talking about saying that, and, you</p> <p>22 know, it's friends of friends that share</p> <p>23 it and, you know, it got to the point, you</p>	<p>1 know, you just get sick of looking at</p> <p>2 it and --</p> <p>3 Q. You said -- sorry.</p> <p>4 A. My main concern was just for my</p> <p>5 family anyway, the safety of my family.</p> <p>6 Q. Did anybody threaten the safety of</p> <p>7 your family?</p> <p>8 A. Yeah, there were threats on</p> <p>9 Facebook, you know, that --</p> <p>10 Q. There were no threats in the</p> <p>11 BuzzFeed article; right?</p> <p>12 A. Not the written article, no.</p> <p>13 Q. Who said heads should roll?</p> <p>14 A. His name is Jimmy Adams. He is my</p> <p>15 -- let's see if I can describe it to you.</p> <p>16 My wife's sister is married to his son.</p> <p>17 Q. Have you ever spoken to Mr. Adams</p> <p>18 about it?</p> <p>19 A. I didn't.</p> <p>20 Q. Did anybody you know speak to</p> <p>21 Mr. Adams about it?</p> <p>22 A. Not to my knowledge.</p> <p>23 Q. Do you have -- did you keep in any</p>

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<p>1 way records of the threats on Facebook?</p> <p>2 Did you print them, write down names, do</p> <p>3 anything like that?</p> <p>4 A. I haven't. The threats I've never</p> <p>5 screen shot or anything like that, just --</p> <p>6 I don't know if it's ever -- I don't</p> <p>7 remember ever saving any.</p> <p>8 Q. Do you know the names of anybody</p> <p>9 who made these threats?</p> <p>10 A. No. For the most part, the</p> <p>11 threats came from people that I didn't</p> <p>12 know.</p> <p>13 Q. Any of them come from people you</p> <p>14 did know?</p> <p>15 A. Not that I'm aware of.</p> <p>16 Q. Do you know any of the threats,</p> <p>17 people who made them threats were, for</p> <p>18 example, real people?</p> <p>19 A. I don't know.</p> <p>20 Q. What kind of threats were they?</p> <p>21 A. Well, it was mainly just, you</p> <p>22 know, there were some that they wished</p> <p>23 that we were dead, you know. The majority</p>	<p>1 was wanting us to go to prison. You know,</p> <p>2 I know Josh had some that something to the</p> <p>3 effect they should burn in hell.</p> <p>4 Q. Those aren't -- those aren't</p> <p>5 threats, right? Those are people saying</p> <p>6 bad things, but no one was threatening to</p> <p>7 kill you or hurt you or hurt your family;</p> <p>8 right?</p> <p>9 A. Well, I perceived it that way as a</p> <p>10 threat.</p> <p>11 Q. Are these still available on</p> <p>12 Facebook somewhere?</p> <p>13 A. I don't know.</p> <p>14 Q. Where are they on Facebook if I</p> <p>15 want to go look at them?</p> <p>16 A. I don't know if they're still</p> <p>17 attached to the story. I don't know.</p> <p>18 Q. Sorry. You're saying they were</p> <p>19 attached to the story on Facebook?</p> <p>20 A. That's -- I believe. There again,</p> <p>21 I'm not -- I'm not up to speed on social</p> <p>22 media, but I believe it was underneath</p> <p>23 where the article was -- and it could be</p>
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<p>1 the article was shared to somebody and</p> <p>2 there were threats underneath somebody</p> <p>3 that shared it, I don't know if it was</p> <p>4 under the actual -- if BuzzFeed has got a</p> <p>5 Facebook page, I don't know that, but if</p> <p>6 do, I don't know if the comments were</p> <p>7 under their Facebook page under that</p> <p>8 article, I don't know. I couldn't say</p> <p>9 where it's at.</p> <p>10 Q. Have you seen them recently?</p> <p>11 A. I haven't looked.</p> <p>12 Q. Can you name anybody who made a</p> <p>13 threat on the Facebook page?</p> <p>14 A. It's nobody that I know.</p> <p>15 Q. Other than threats on the Facebook</p> <p>16 page, have you heard other -- have you had</p> <p>17 other communications or read anything else</p> <p>18 about the article?</p> <p>19 A. Not that I remember.</p> <p>20 Q. Do you personally know anybody who</p> <p>21 believed what you allege to be falsities</p> <p>22 in the article?</p> <p>23 A. Well, there again, I believe if</p>	<p>1 they -- I believe if they share it, they</p> <p>2 believe it. I mean, my aunt was one of</p> <p>3 them that shared it, you know, to my</p> <p>4 knowledge --</p> <p>5 Q. I'm sorry, did you say your aunt</p> <p>6 shared it?</p> <p>7 A. Yes.</p> <p>8 Q. I couldn't hear you. Okay. Have</p> <p>9 you ever talked to your aunt about it?</p> <p>10 A. No.</p> <p>11 Q. What's your aunt's name?</p> <p>12 A. Susan Jones.</p> <p>13 Q. Do you know if Ms. Jones believes</p> <p>14 the article is true?</p> <p>15 A. There again, if she shared it, I</p> <p>16 believe that she thinks that it's true.</p> <p>17 Q. Is the only basis you have for her</p> <p>18 thinking it's true that she shared the</p> <p>19 article?</p> <p>20 A. Yes.</p> <p>21 Q. But you never talked to her about</p> <p>22 it?</p> <p>23 A. No.</p>

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<p>1 Q. Anybody else that you know</p> <p>2 personally who believes the article is</p> <p>3 true you think?</p> <p>4 A. Well, Jimmy Adams, you know, just</p> <p>5 specifics.</p> <p>6 Q. Jimmy Adams who is your wife's</p> <p>7 sister's son's husband -- no --</p> <p>8 A. It would be my brother-in-law's</p> <p>9 dad.</p> <p>10 Q. Brother-in-law's dad. Okay. Have</p> <p>11 you ever spoken to him about it?</p> <p>12 A. No.</p> <p>13 Q. And how do you know he believes</p> <p>14 it?</p> <p>15 A. Well, you know, he makes the</p> <p>16 comment heads should roll, you know, and I</p> <p>17 don't know how else to take that other</p> <p>18 than he believes it.</p> <p>19 Q. Have you ever talked to your</p> <p>20 brother-in-law about it?</p> <p>21 A. No.</p> <p>22 Q. Anybody else that you personally</p> <p>23 know who believes the alleged falsities in</p>	<p>1 the article?</p> <p>2 A. My wife's aunt shared it. I don't</p> <p>3 believe she made any comments about it but</p> <p>4 she shared it.</p> <p>5 Q. Who is that?</p> <p>6 A. Cynthia Booth.</p> <p>7 Q. And what basis do you have for</p> <p>8 believing that she believed the article</p> <p>9 rather than just shared the article?</p> <p>10 A. That's all I have.</p> <p>11 Q. Anything else?</p> <p>12 A. I think she made comments, but I</p> <p>13 don't know them to say it because I would</p> <p>14 be speculating if I said it, so I don't</p> <p>15 remember exactly what she said. She did</p> <p>16 make comments about the article.</p> <p>17 Q. To who?</p> <p>18 A. On Facebook.</p> <p>19 Q. But you just said she didn't make</p> <p>20 a comment.</p> <p>21 A. Well, I'm sorry. As far as</p> <p>22 when --</p> <p>23 MR. COCKRELL: Object to the</p>
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<p>1 form.</p> <p>2 Go ahead.</p> <p>3 A. As far as when she shared it there</p> <p>4 was no -- there was no heading or whatever</p> <p>5 you want to call it with the article that</p> <p>6 it was shared. It was under comments of</p> <p>7 what she had shared. I don't know if she</p> <p>8 got into it with somebody.</p> <p>9 There again, I don't remember but</p> <p>10 according to my wife the way she was</p> <p>11 responding to these people she believed</p> <p>12 the article.</p> <p>13 Q. (By Ms. Bolger) Where is the heads</p> <p>14 should roll comment? Where would I find</p> <p>15 that if I wanted to find it?</p> <p>16 A. I guess it would probably be on</p> <p>17 his Facebook page, Jimmy Adams' Facebook</p> <p>18 page.</p> <p>19 Q. So it's not on the BuzzFeed page?</p> <p>20 It's on the Jimmy Adams Facebook page?</p> <p>21 A. When he shared the article, yes.</p> <p>22 Q. How about Cynthia Booth's comments</p> <p>23 where would I find those?</p>	<p>1 A. I'm not for sure on that. I'm</p> <p>2 assuming that's her Facebook page also is</p> <p>3 where my wife saw it because she was</p> <p>4 friends with her on Facebook when this</p> <p>5 happened.</p> <p>6 Q. So you know about Cynthia Booth</p> <p>7 sharing the article and maybe making</p> <p>8 comments because your wife told you that</p> <p>9 she had seen it?</p> <p>10 A. Yes, she showed it to me. I just</p> <p>11 don't remember the exact comments, but my</p> <p>12 wife was telling me that based on the way</p> <p>13 she was responding and commenting on that,</p> <p>14 that she believed it.</p> <p>15 Q. Not that your wife believed it --</p> <p>16 A. Yes.</p> <p>17 COURT REPORTER: I'm sorry,</p> <p>18 say that again, Kate.</p> <p>19 MS. BOLGER: I was just</p> <p>20 clarifying who the she was. So I said not</p> <p>21 that his wife believed it but that Cynthia</p> <p>22 Booth believed it.</p> <p>23 Q. Anybody else?</p>

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<p>1 A. Not anybody right -- well, hang 2 on. Trying to think. I know there were 3 some more -- I know there was a -- my 4 son's football coach, his wife was on 5 Facebook and she was making comments. 6 There again, I don't know if it was on her 7 page, somebody that shared the article's 8 page, but the comments that she was 9 making, there again, according to my wife, 10 she believed it. 11 And then he was my son's coach, 12 you know, in baseball and football, and, 13 you know, they just sort of -- after this 14 came out they just sort of separated 15 themselves from us, didn't speak or 16 anything. 17 Q. Did you have a social relationship 18 with them before the article came out? 19 A. Nothing other than just with our 20 children. 21 Q. Okay. Do you know that they 22 separated themselves because of the 23 article or are you making assumptions?</p>	<p>1 A. Well, was never you know -- 2 everybody would just sort of sit in groups 3 up until this, and then after this came 4 out they just sort of went their own way. 5 Q. So you're just making the 6 assumption? 7 A. Yes. 8 Q. Anybody else you know that 9 believed the -- what you claim are the 10 false allegations in the article? 11 A. It would be my cousin, Jill 12 Slayton, I don't know -- I can't think of 13 any comments that she made, but she was 14 another one that -- comments on Facebook 15 that she made. 16 She approached my daughter at her 17 job and was confronting her about it 18 saying, you know, something to the effect 19 of what did your dad do, this girl didn't 20 commit suicide for no reason, and what do 21 you think about it, so it upset my 22 daughter and she walked off to the back 23 and, you know, just to try to avoid it.</p>
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<p>1 Q. Did she say she believed that 2 article or was just asking your daughter 3 questions about the article? 4 A. She didn't make the statement I 5 believe the article, no. 6 Q. Okay. I was just wondering what 7 she said to your daughter. I'm truly 8 trying to know as much as I can, 9 Investigator Jones. I'm absolutely 10 asking. My point was was she asking your 11 daughter questions about the article or 12 saying I can't believe your father did XY 13 and Z? 14 A. To my knowledge the way my 15 daughter explained it to me, that's the 16 way it was. You know, your dad -- they 17 must have done something, I believe is the 18 way she put it. That girl wouldn't have 19 committed suicide for no reason. The gist 20 is what she told me. 21 Q. And have you ever spoken to her, 22 to Jill Slayton about that? 23 A. No, we've just -- the people that</p>	<p>1 either share it or comment, we've just 2 distanced ourselves from it, because I 3 mean it's not going to do any good to 4 confront anybody about it. It's, you 5 know, they're going to believe what 6 they're going to believe anyway, so. 7 Q. Anybody else you know who believed 8 the article personally? 9 A. Not -- not right now. I can't 10 think of anything. 11 Q. Did you lose any personal 12 relationships as a result of the article? 13 A. Well, as far as, you know, just 14 these people that were making comments, it 15 wasn't close personal relationships, but, 16 you know, we would see them from time to 17 time and, you know, we just sort of 18 separated ourselves and just didn't want 19 to -- didn't want to have to rehash it 20 again. 21 Q. Do you know anybody who thinks 22 less of you because of the article? 23 A. No.</p>

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<p>1 Q. Did you ever talk about the</p> <p>2 article with Chief Waid?</p> <p>3 A. No.</p> <p>4 Q. Did you ever talk about the</p> <p>5 Rondini investigation with Chief Waid?</p> <p>6 A. No.</p> <p>7 Q. What about Chief Baker?</p> <p>8 A. No.</p> <p>9 Q. I think I've asked you this</p> <p>10 already and I apologize if I did. Did you</p> <p>11 ever talk to Sheriff Abernathy about it?</p> <p>12 A. No.</p> <p>13 Q. Other than what we've talked</p> <p>14 about, how would you say you were damaged</p> <p>15 by the publication of these articles?</p> <p>16 A. It's just the way you have to</p> <p>17 change your life and it shouldn't have to</p> <p>18 happen that way because I mean being in</p> <p>19 police work you're dealing with dangerous</p> <p>20 people anyway, and you always tell your</p> <p>21 kids to just look out, you know, watch</p> <p>22 your surroundings, you know, stuff like</p> <p>23 that.</p>	<p>1 But, you know, seeing these</p> <p>2 comments on Facebook, and there again,</p> <p>3 it's the unknown that's out there. There</p> <p>4 are a bunch of radical people that's out</p> <p>5 there that, you know, they'll, you know,</p> <p>6 do whatever to, you know, if they think</p> <p>7 they're avenging somebody in some way.</p> <p>8 I had a lady come in, her daughter</p> <p>9 had filed a sexual assault report, and</p> <p>10 this is more on a professional or work</p> <p>11 related, but she was worried that her</p> <p>12 daughter was going to end up committing</p> <p>13 suicide because of the way that this</p> <p>14 article portrayed our office and Josh and</p> <p>15 I.</p> <p>16 And I let her know, she didn't</p> <p>17 even realize it at that time, or I won't</p> <p>18 say that she didn't realize it. I told</p> <p>19 her that I was the lead investigator in</p> <p>20 the case that she's talking about.</p> <p>21 And, you know, you just feel like</p> <p>22 when you're getting questioned like that</p> <p>23 from victims or their family that come in</p>
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<p>1 you've lost the trust of the public.</p> <p>2 That, you know, I don't know the victims.</p> <p>3 You know, they know me, you know, because</p> <p>4 we're in a small department and they can</p> <p>5 look my name up online at the sheriff's</p> <p>6 office or could look it up online at the</p> <p>7 sheriff's office, see that I worked there</p> <p>8 and it was more of how I was perceived by</p> <p>9 victims and, you know, possible</p> <p>10 prosecution of cases in the future because</p> <p>11 of the way I was portrayed, you know,</p> <p>12 victims, at least two that I know of, I</p> <p>13 don't know that there was ever anybody</p> <p>14 else that may have contacted a supervisor.</p> <p>15 They didn't tell me if they had,</p> <p>16 but that was on two occasions that they</p> <p>17 asked me or insinuated that they didn't</p> <p>18 want me to work their case.</p> <p>19 And, you know, yes, I love the job</p> <p>20 that I did, but at the end of the day it</p> <p>21 is providing for my family, and, you know,</p> <p>22 I felt like it was going to affect me,</p> <p>23 because there again, I was just -- I felt</p>	<p>1 like I was cast in a negative light and --</p> <p>2 Q. Just so I understand, the lady who</p> <p>3 came to talk to you worried that her</p> <p>4 daughter would commit suicide, she had</p> <p>5 read the article but she didn't know you</p> <p>6 were involved in the Rondini</p> <p>7 investigation, you told her that?</p> <p>8 MR. COCKRELL: Object to the</p> <p>9 form.</p> <p>10 Go ahead.</p> <p>11 A. Yeah, I didn't know --</p> <p>12 Q. (By Ms. Bolger) -- sorry, say that</p> <p>13 again.</p> <p>14 A. I just didn't know if she realized</p> <p>15 that it was me. She just said something</p> <p>16 to the effect of I don't want my daughter</p> <p>17 to end up committing suicide like that</p> <p>18 girl did from that article.</p> <p>19 And I just told her that I was the</p> <p>20 lead investigator in that case and I'm</p> <p>21 going to do everything I can to take care</p> <p>22 of your daughter.</p> <p>23 Q. And did you investigate that case?</p>

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<p>1 A. Her daughter never came in again 2 after her mother came up there. 3 Q. Are there any other ways you feel 4 that you've been damaged by the 5 publication of the article? 6 A. Just, you know, my family just 7 having to change the way we do things. 8 You know, from that -- the time that that 9 article came out, you know, you just sort 10 of go into defense mode and we called our 11 kids in there to let them know, you know, 12 what was going on, and, you know, of 13 course, they were on social media and they 14 were reading these comments. 15 And, you know, my son he's 16 12 years old and, you know, he's reading 17 this stuff and thinking that I'm going to 18 lose my job and so he's looking on, you 19 know, on the internet or trying to find 20 some way that me and him could work, you 21 know, to make money if I end up -- if I 22 end up getting fired. 23 And, you know, my daughter she was</p>	<p>1 having issues sleeping. She just I think 2 she was -- she got so involved in just 3 reading all these comments, comment after 4 comment, and I finally just had to tell 5 her to stop. She was just -- she couldn't 6 sleep and, you know, ultimately she has 7 some anxiety from it, you know, because 8 she's worried about what it's going to do 9 to me and then I'm worried about how it's 10 affecting her, and, you know, we don't -- 11 I didn't go out and lamblast anybody that 12 was making comments about it and I didn't 13 confront anybody about it because, you 14 know, it's not going to do any good, so we 15 just stayed to ourself and I mean just 16 sort of withdrew from everything. 17 Q. What was the name of the woman who 18 came to talk to you about her daughter and 19 said she was afraid her daughter was going 20 to commit suicide? 21 A. I don't remember her name. I just 22 remember, you know, that specifically, 23 that she was worried that that was going</p>
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<p>1 to happen to her daughter. 2 Q. Do you remember the name of the 3 person who Captain Hart told you didn't 4 want you investigating the case? 5 A. I don't remember that either. 6 Like I say, I didn't have anything, of 7 course, I wouldn't have wrote it down, but 8 I was sitting on the beach. You know, he 9 just called and was telling me that and I 10 don't remember a name. 11 Q. Did any victim or any family of a 12 victim tell you they didn't trust you? 13 A. No. 14 Q. Anyone in your department tell you 15 hey, you've lost the trust of the public? 16 A. No. 17 Q. How many Facebook comments would 18 you say there were about this? 19 A. I would say hundreds. I don't 20 have a -- I would say hundreds. 21 Q. When you say your daughter was 22 sitting around reading comments, she 23 wasn't reading the BuzzFeed article;</p>	<p>1 right? She was reading comments on 2 Facebook? 3 A. Yes. 4 Q. Any other damages you claim to 5 have suffered as a result of the 6 publication of the article? 7 A. Just, you know, physically I never 8 had any kind of physical issues health 9 related at all and when that came out it 10 was just -- it was a couple of weeks I was 11 having headaches, chest pain, dizziness, 12 reflux. 13 I was having all of these symptoms 14 and it wasn't going away. I had never had 15 anything like that before. I was telling 16 my wife. She works at a doctor's office. 17 She does billing. She's not in the, you 18 know, health care -- hands-on health care 19 but she does the billing. 20 And she got me an appointment with 21 Dr. McEntyre. She does work with him. 22 And he diagnosed me with high blood 23 pressure, and I had to go on two different</p>

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<p>1 kinds of medication for blood pressure, 2 for acid reflux, and I actually had to 3 start taking some, which it was just like 4 a supplement, melatonin to try to help me 5 sleep. 6 That never worked as far as the 7 sleeping goes, so I started drinking, and 8 I've never been one to drink at all, but, 9 you know, I was just trying to find a way 10 to sleep and so I started drinking. 11 Q. Are you still drinking? 12 A. Not daily. 13 Q. I'm sorry, I didn't hear you. 14 A. Not daily. 15 Q. So do you feel like you're doing 16 better? 17 A. Yes. 18 MS. BOLGER: J. T., would 19 you mind handing the witness AX, which are 20 the medical records that were produced? 21 It's kind on a thick packet. 22 (Off the record.) 23 (Whereupon, a document was marked</p>	<p>1 as Defendant's Exhibit No. 36 and 2 is attached to the original 3 transcript.) 4 Q. Investigator Jones, for the record 5 these are medical records which were 6 produced to us actually just last week 7 from your lawyers and they appear to be 8 medical records of some fairly recent 9 trips to the doctor. 10 You're welcome to check me on this 11 but none of these pre-date 2017. Had you 12 not been to the doctor before 2017? 13 A. I really had no reason to go to 14 the doctor. I never had any health 15 issues. 16 Q. So you weren't under the regular 17 care of a doctor that you went to like 18 annual checkups with before 2017? 19 A. No. 20 Q. So you're telling me there's no 21 baseline I can compare these medical 22 records to; right? 23 A. No.</p>
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<p>1 Q. Are you still going to the doctor? 2 A. Just for, you know, yearly 3 checkups right now. 4 Q. Has your high blood pressure 5 gotten better? 6 A. It's under control with 7 medication. 8 Q. Any other form of damages that you 9 suffered as a result of the article? 10 A. When I -- excuse me. I know there 11 was an occasion when I was, you know, I 12 just -- I felt like I had lost the public 13 trust, you know, and I knew as soon as my 14 20-year mark came I was going to look at 15 going ahead to retire, and I had applied 16 for a position in Northport and that's in 17 Tuscaloosa County. 18 It was a magistrate position. 19 It's my understanding that I was in the 20 top four candidates for the position. 21 When I did go for the interview, you know, 22 they asked me what I thought the role of a 23 magistrate was and I explained to them,</p>	<p>1 you know, we assist victims or obtain 2 warrants and, you know, we swear officers 3 in to the traffic citations or any arrest 4 that they make. 5 And the lady that was over the 6 court system, and I don't remember her 7 name, but she made the comment of, you 8 know, we typically believe our victims 9 here, something to that effect, and, you 10 know, I automatically thought that this 11 is, you know, still due to this article, 12 you know, three years later and ultimately 13 didn't get the job. 14 Q. Did she tell you it was because of 15 the article? 16 A. She didn't tell me that. That's 17 just what -- that's what came to my mind. 18 Q. Did the doctor tell you that the 19 hypertension and the sleep problems were 20 caused by the article or by stress? 21 A. I believe it was stress that he 22 said that it was related to. 23 Q. Did he mention anything about the</p>

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<p>1 article?</p> <p>2 A. I did mention it to him.</p> <p>3 Q. Did he tell you he thought that</p> <p>4 was the cause of your illness?</p> <p>5 A. He said it was a factor. It was</p> <p>6 definitely a factor in it.</p> <p>7 Q. Were there other factors?</p> <p>8 A. Not that I remember him</p> <p>9 mentioning.</p> <p>10 Q. Did anyone anywhere ever tell you</p> <p>11 that you lost the public's trust as a</p> <p>12 result of the article?</p> <p>13 A. No.</p> <p>14 Q. And when you didn't get the job as</p> <p>15 a magistrate, did anyone ever tell you</p> <p>16 that was because of the article?</p> <p>17 A. No.</p> <p>18 Q. Who did get that job?</p> <p>19 A. I don't know.</p> <p>20 Q. Were there any other damages you</p> <p>21 suffered as a result of the publication of</p> <p>22 the article?</p> <p>23 A. Not to speak of right now.</p>	<p>1 Q. This is your moment, Investigator</p> <p>2 Jones. In good faith I want to know how</p> <p>3 you feel you were damaged by the article,</p> <p>4 so feel free to tell me anything that you</p> <p>5 feel.</p> <p>6 A. You know, I just -- I really feel</p> <p>7 like it was my name more than anything.</p> <p>8 You know, my family has been in law</p> <p>9 enforcement for -- since the 1940s, and</p> <p>10 it's been my granddad, my uncle, and then</p> <p>11 it was me and we all sort of overlapped</p> <p>12 each other. We all worked for the</p> <p>13 Tuscaloosa Police Department.</p> <p>14 You know, I've always took pride</p> <p>15 in my job. It's all I've ever wanted to</p> <p>16 do. I just feel like my name has been</p> <p>17 tarnished because of this article, you</p> <p>18 know.</p> <p>19 You know, that's the only case out</p> <p>20 of my career that's going to be</p> <p>21 remembered. You know, out of 20 years</p> <p>22 that's going to be it. And it's not -- I</p> <p>23 am not a vain person. I'm as unpolitical,</p>
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<p>1 anti-spotlight as anybody.</p> <p>2 We have these perp walks is what</p> <p>3 they would call them. When we would have</p> <p>4 a suspect they would walk them down the</p> <p>5 steps there at the homicide office. I</p> <p>6 didn't care anything about even if it was</p> <p>7 my case, I would let some of them other</p> <p>8 guys do that. As long as, you know, as</p> <p>9 long as the job was done, that's all that</p> <p>10 mattered to me. You know, I'm not a bad</p> <p>11 guy. You know, I feel like that's the way</p> <p>12 we were portrayed. I care about people.</p> <p>13 You know, I hate that it happened</p> <p>14 to that family. You know, I hate she took</p> <p>15 her life, but, you know, I'm just -- you</p> <p>16 know, after I die, you know, eventually</p> <p>17 one day I will, but my name is going to</p> <p>18 live on and it's one of those things that,</p> <p>19 you know, you can't put a price tag on it</p> <p>20 and you don't ever want to have anybody</p> <p>21 even assume that you would compromise your</p> <p>22 integrity or your name, your family name,</p> <p>23 just because somebody's got some money.</p>	<p>1 I mean, I think I said it at the</p> <p>2 beginning that I've got a good family</p> <p>3 name. It was given to me in good standing</p> <p>4 and I want to carry it -- carry it on that</p> <p>5 way, but I feel like it was tarnished</p> <p>6 because of this, and I just -- I don't</p> <p>7 want my son primarily since he will carry</p> <p>8 our name on, that I don't want him to have</p> <p>9 to suffer for the way that I was portrayed</p> <p>10 in this. I just -- I don't think it was</p> <p>11 right.</p> <p>12 Q. Anything else?</p> <p>13 A. No, ma'am.</p> <p>14 Q. Okay. Did you ever consult with a</p> <p>15 lawyer name Leila Watson?</p> <p>16 A. No.</p> <p>17 Q. In your document production you</p> <p>18 produced a web page for Leila Watson with</p> <p>19 a handwritten note that says this attorney</p> <p>20 was given the original file. Do you</p> <p>21 understand what that means?</p> <p>22 A. I don't know if that attorney may</p> <p>23 have subpoenaed the file. I don't know.</p>

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<p>1 I don't remember that name.</p> <p>2 Q. Are you aware that Tuscaloosa News</p> <p>3 published an article about the Rondini</p> <p>4 investigation?</p> <p>5 A. Yes.</p> <p>6 Q. Was that -- who was it written by?</p> <p>7 A. Who was it written by?</p> <p>8 Q. Yes.</p> <p>9 A. Stephanie Taylor.</p> <p>10 Q. Do you know Stephanie Taylor?</p> <p>11 A. Just in passing, nothing on a</p> <p>12 personal level.</p> <p>13 Q. Did you at any point talk to</p> <p>14 Stephanie Taylor in her drafting of that</p> <p>15 article?</p> <p>16 A. No.</p> <p>17 Q. Not even off the record?</p> <p>18 A. No.</p> <p>19 Q. Do you know that Ms. Taylor</p> <p>20 currently works for the Tuscaloosa Police</p> <p>21 Department?</p> <p>22 A. I had heard that, yes.</p> <p>23 Q. Did you two overlap at the</p>	<p>1 Tuscaloosa Police Department?</p> <p>2 A. No, I was gone when she came.</p> <p>3 Q. Do you know how she got the files</p> <p>4 from the Rondini case to write about?</p> <p>5 A. I believe she subpoenaed it.</p> <p>6 Q. Are you aware that T. J. Bunn and</p> <p>7 his counsel took out a full page ad in the</p> <p>8 Tuscaloosa News about Megan Rondini?</p> <p>9 A. I vaguely remember it. I couldn't</p> <p>10 tell you what it said.</p> <p>11 Q. What did you think about it, do</p> <p>12 you remember?</p> <p>13 A. I don't remember the specifics of</p> <p>14 what was said.</p> <p>15 Q. I know you don't remember the</p> <p>16 specifics of what was said. I'm asking</p> <p>17 what your reaction to it was.</p> <p>18 A. I didn't really have any reaction</p> <p>19 to it one way or another, I mean.</p> <p>20 Q. Well, you've been telling me how</p> <p>21 upsetting this article was, so I'm</p> <p>22 assuming you react pretty strongly to</p> <p>23 things related to the Rondini</p>
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<p>1 investigation. You're telling me you had</p> <p>2 no real reaction to this full page ad</p> <p>3 taken out --</p> <p>4 A. Well, I'm just saying that I don't</p> <p>5 remember what it was concerning, I mean,</p> <p>6 as far as what was written on that page,</p> <p>7 you know.</p> <p>8 Q. Okay.</p> <p>9 MS. BOLGER: J. T., can you</p> <p>10 show the witness AH? And this was marked</p> <p>11 already.</p> <p>12 (Off the record.)</p> <p>13 (Whereupon, a document that was</p> <p>14 previously marked as Defendant's</p> <p>15 Exhibit No. 17 was referenced and</p> <p>16 is attached to the original</p> <p>17 transcript.)</p> <p>18 Q. For the record, this is an</p> <p>19 advertisement that was taken out in the</p> <p>20 Tuscaloosa News dated July 27th, 2017.</p> <p>21 This is after Megan Rondini was dead;</p> <p>22 right?</p> <p>23 A. Yes.</p>	<p>1 Q. And it starts out a civil lawsuit</p> <p>2 has been filed by a group of trial lawyers</p> <p>3 seeking financial compensation for the</p> <p>4 suicide of a young woman from Texas. The</p> <p>5 lawsuit names representatives of the</p> <p>6 University of Alabama, deputies of the</p> <p>7 Tuscaloosa County Sheriff's Office, the</p> <p>8 sheriff of Tuscaloosa County, and</p> <p>9 T. J. Bunn as defendants. Do you see</p> <p>10 that?</p> <p>11 A. Yes.</p> <p>12 Q. And then it goes on. Was a</p> <p>13 lawsuit filed by trial lawyers or was the</p> <p>14 lawsuit filed by Megan's parents?</p> <p>15 A. It was my understanding it was her</p> <p>16 parents.</p> <p>17 Q. And it goes on, and you can feel</p> <p>18 free to read it, but it goes on to say</p> <p>19 some disparaging things about Megan. Do</p> <p>20 you -- did you have any reaction to this?</p> <p>21 A. I'm just reading it. Sorry.</p> <p>22 Okay.</p> <p>23 (Off the record.)</p>

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<p style="text-align: right;">Page 389</p> <p>1 Q. Do you remember reading this</p> <p>2 article?</p> <p>3 A. I don't know that I even read it</p> <p>4 all the way through when it came out.</p> <p>5 Q. But Megan was dead, right, when</p> <p>6 they wrote this article?</p> <p>7 A. Yes.</p> <p>8 Q. But they're still about talking</p> <p>9 her private photos and her text messages</p> <p>10 --</p> <p>11 A. You know, I do remember -- it's</p> <p>12 not doing anybody any good to print</p> <p>13 something like this. I mean, she died in</p> <p>14 a tragic way. Her parents are, you know,</p> <p>15 missing their daughter obviously and I</p> <p>16 mean there's no -- I mean I don't think</p> <p>17 there's any sense in printing it.</p> <p>18 I mean that's my personal opinion</p> <p>19 about it. You know, I'm more of a person</p> <p>20 that withholds a lot of stuff. I wouldn't</p> <p>21 go out and just attack, that's just me.</p> <p>22 Q. All right.</p> <p>23 MS. BOLGER: Why don't we</p>	<p style="text-align: right;">Page 390</p> <p>1 take literally five minutes? In that time</p> <p>2 could you guys -- why don't we go off the</p> <p>3 record and take a five-minute break.</p> <p>4 VIDEOGRAPHER: We're off the</p> <p>5 record at 5:26 p m.</p> <p>6 (Recess was taken.)</p> <p>7 VIDEOGRAPHER: We're back on</p> <p>8 the record at 5:35 p m.</p> <p>9 Q. Investigator Jones, generally, and</p> <p>10 I'm not asking you specifically in this</p> <p>11 case. Generally, I think you testified</p> <p>12 earlier that generally felony packets as</p> <p>13 in the piece of paper, the felony packet,</p> <p>14 does not get handed to grand juries for</p> <p>15 them to review; is that correct?</p> <p>16 A. That is my understanding of it.</p> <p>17 It's given to the assistant district</p> <p>18 attorney that's over the grand jury. I</p> <p>19 don't know if they make copies for each</p> <p>20 grand juror, but it's my understanding</p> <p>21 that they do not because there's -- it</p> <p>22 would be a mass volume of paper if they</p> <p>23 did that.</p>
<p style="text-align: right;">Page 391</p> <p>1 Q. Okay. And that's based on your</p> <p>2 understanding as someone who's testified</p> <p>3 generally in grand juries; right?</p> <p>4 A. Yes, yes.</p> <p>5 Q. Okay.</p> <p>6 MS. BOLGER: Subject to the</p> <p>7 fact that we have to leave open further</p> <p>8 discussions about the grand jury for</p> <p>9 another day, I have no further questions</p> <p>10 for the day.</p> <p>11 MR. COCKRELL: Okay. Start</p> <p>12 tomorrow at 9:00?</p> <p>13 MR. THOMPSON: Tomorrow</p> <p>14 morning at 9:00, Kate?</p> <p>15 MS. BOLGER: Yes, if that's</p> <p>16 all right with you guys.</p> <p>17 VIDEOGRAPHER: Off the</p> <p>18 record at 5:36 p.m.</p> <p>19</p> <p>20 [The deposition was concluded at</p> <p>21 5:36 p m., and further deponent saith</p> <p>22 not.]</p> <p>23</p>	<p style="text-align: right;">Page 392</p> <p>1 CERTIFICATE</p> <p>2 STATE OF ALABAMA )</p> <p>3 TUSCALOOSA COUNTY )</p> <p>4 I hereby certify that the above and</p> <p>5 foregoing proceedings were taken down by</p> <p>6 me in stenotype, and the questions and</p> <p>7 answers thereto were reduced in transcript</p> <p>8 form by computer-aided transcript under my</p> <p>9 supervision, and that the foregoing</p> <p>10 represents a true and correct transcript</p> <p>11 of the proceedings occurring on said date</p> <p>12 at said time.</p> <p>13 I further certify that I am neither</p> <p>14 of counsel nor of kin to the parties to</p> <p>15 the action, nor am I anyway interested in</p> <p>16 the results of said cause.</p> <p>17 Signed December 7, 2020.</p> <p>18</p> <p>19 /s/ Nancy Pannell, CCR</p> <p>20 NANCY PANNELL, CCR</p> <p>21 Alabama CCR No. 30, Expires 9/30/2021</p> <p>22 Commissioner for the State of Alabama at</p> <p>23 Large, Commission expires 07/17/2021</p>

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